

Also, petition of New York Produce Exchange, against federal inspection and grading of grain—to the Committee on Interstate and Foreign Commerce.

By Mr. GRAHAM: Petition of the Fort Pitt Supply Company, the Brown & Zortman Machinery Company, and the National Lead and Oil Company, favoring the Sherley bill (H. R. 21929), amending present bankruptcy act—to the Committee on the Judiciary.

Also, petition of the Illinois Manufacturers' Association, favoring ship-subsidy legislation, to the end of swift ships to Australia, Asia, and the Orient—to the Committee on the Merchant Marine and Fisheries.

Also, petition of Iron City Subordinate Association, No. 24, Lithographers' International Protective and Beneficial Association of the United States and Canada, of Pittsburg, Pa., against reduction of tariff on lithographic works—to the Committee on Ways and Means.

Also, petition of James P. Sipe & Co., of Pittsburg, Pa., favoring legislation in the fair interest of railways, etc.—to the Committee on Interstate and Foreign Commerce.

By Mr. GRANGER: Petition of Rhode Island Chapter, American Institute of Architects, favoring S. 8927, for a Lincoln memorial—to the Committee on the Library.

By Mr. GRONNA: Petition of American Society of Equity, for retention of the present import duties on grains—to the Committee on Ways and Means.

By Mr. GUERNSEY: Petition of Ira Barnes and others, favoring a national highways commission—to the Committee on Agriculture.

By Mr. HAMILTON of Michigan: Petition of citizens of Allegan County, Mich., for a national highways commission and federal aid in construction of highways (H. R. 15837)—to the Committee on Agriculture.

By Mr. HASKINS: Petition of Calais Grange, No. 387, of East Calais, Vt., favoring parcels-post and postal savings banks laws—to the Committee on the Post-Office and Post-Roads.

By Mr. HAWLEY: Petition of legislature of Oregon, against the Porter bill, increasing size of apple boxes—to the Committee on Interstate and Foreign Commerce.

By Mr. HINSHAW: Petition of citizens of Morse Bluff, Prague, Lushton, Grafton, York, Beaver Crossing, Dwight, Seward, Swaburg, and Cedar Bluffs, all in the State of Nebraska, against a parcels-post and postal savings bank law—to the Committee on the Post-Office and Post-Roads.

By Mr. HOUSTON: Paper to accompany bill for relief of James F. Youngblood (H. R. 11551)—to the Committee on Invalid Pensions.

By Mr. HULL of Iowa: Protest of citizens of Knoxville, Iowa, against establishment of parcels post—to the Committee on the Post-Office and Post-Roads.

By Mr. JENKINS: Petition of Thad C. Round, of Chipewa Falls, Wis., urging enactment of a law providing for a national income tax—to the Committee on the Judiciary.

By Mr. KAHN: Petitions of S. A. Young and 117 other residents of San Pedro, Cal., and J. G. Brown and 88 other residents of Ballard, Wash., favoring a law to exclude all Asiatics save merchants, travelers, and students—to the Committee on Foreign Affairs.

By Mr. KENNEDY: Paper to accompany bill for relief of James Meneely—to the Committee on Invalid Pensions.

By Mr. LASSITER: Paper to accompany bill for relief of White Oak Church—to the Committee on War Claims.

By Mr. LEE: Paper to accompany bill for relief of James M. Slate (H. R. 27568)—to the Committee on Invalid Pensions.

By Mr. LINDBERGH: Petition of citizens of Belgrade, Minn., against a tariff on tea and coffee—to the Committee on Ways and Means.

By Mr. LOUD: Petition of citizens of East Tawas, favoring parcels-post and postal savings bank laws—to the Committee on the Post-Office and Post-Roads.

Also, petition of Fisher Grange, No. 790, of Harrisville, Mich., favoring a national highways commission—to the Committee on Agriculture.

By Mr. McHENRY: Petition of Colley Grange, No. 365, of Colley, Pa., for the creation of a national highways commission and an appropriation for aiding in the improvement and maintenance of public roads—to the Committee on Agriculture.

By Mr. MANN: Petition of American Society of Equity, protesting against removal of import duty on grain—to the Committee on Ways and Means.

Also, petition of Yellow Pine Manufacturers' Association, against any changes of the tariff on lumber—to the Committee on Ways and Means.

By Mr. MURPHY: Paper to accompany bill for relief of William S. Riley—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of Lewis F. Pelton—to the Committee on Invalid Pensions.

Also, papers to accompany bills granting increase of pension to Clement J. Cherington, Charles E. Bromley, Edward Trumble, John Kehoe, and Robert Parkin—to the Committee on Invalid Pensions.

By Mr. OLMSTED: Petition of Dauphin County Bar Association, favoring an increase of salaries to judges of federal courts—to the Committee on Appropriations.

By Mr. PADGETT: Paper to accompany bill for relief of heirs of Thomas Vernon—to the Committee on War Claims.

By Mr. PAGE: Petition of citizens of Montgomery County, N. C., favoring the Davis bill (for federal aid of state schools)—to the Committee on Agriculture.

By Mr. PORTER: Petition of residents of Medina, N. Y., against passage of Senate bill 3940—to the Committee on the District of Columbia.

By Mr. PRAY: Petition of citizens of Yellowstone County, Mont., against passage of the Johnston Sunday-rest bill (S. 3940)—to the Committee on the District of Columbia.

By Mr. RHINOCK: Petition of citizens of Boone County, Ky., favoring a parcels-post and savings bank law—to the Committee on the Post-Office and Post-Roads.

By Mr. SABATH: Petition of Chicago Typographical Union, No. 16, disapproving of the decision of Justice Wright relative to the case of Messrs. Gompers, Mitchell, and Morrison—to the Committee on the Judiciary.

By Mr. THISTLEWOOD: Petition of Cairo Commercial Club, against further hostile legislation toward corporations—to the Committee on Interstate and Foreign Commerce.

SENATE.

THURSDAY, February 4, 1909.

Prayer by the Chaplain, Rev. Edward E. Hale.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

CLAIMS AGAINST CHOCTAWS AND CHICKASAWS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, stating, by direction of the President, and in response to a resolution of the 21st ultimo, relative to the report of J. W. Howell, an assistant attorney in the office of the Assistant Attorney-General for the Department of the Interior, covering the investigations conducted by him of the claims of certain persons to share in the common property of the Choctaw and Chickasaw Indians, etc., that the Interior Department has no report from J. W. Howell concerning the matters mentioned in the resolution (S. Doc. No. 694), which was referred to the Committee on Indian Affairs and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of the Masonic Lodge of Bexar, Ala., v. The United States (S. Doc. No. 695), which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the House had passed the bill (S. 4535) to amend section 714 of the Revised Statutes of the United States, relating to the resignation of judges of the courts of the United States, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

H. R. 2952. An act for the relief of Chaplain Henry Swift, Thirteenth Infantry, U. S. Army;

H. R. 10752. An act to complete the military record of Adolphus Erwin Wells;

H. R. 11460. An act to remove the charge of desertion from the military record of William H. Houck;

H. R. 16015. An act for the relief of Lafayette L. McKnight; and

H. R. 20171. An act to correct the military record of George H. Tracy.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 24135. An act to amend an act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1896, and for other purposes;

H. R. 24337. An act to amend section 2625 of the Revised Statutes of the United States;

H. R. 24833. An act to declare and enforce the forfeiture provided by section 4 of the act of Congress approved March 3, 1875, entitled "An act granting to railroads the right of way through the public lands of the United States;"

H. R. 24835. An act authorizing the necessary resurvey of public lands;

H. R. 26829. An act to amend an act entitled "An act to authorize the Fayette Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of Brownsville, Fayette County, to a point in the borough of West Brownsville, Washington County," approved April 23, 1906;

H. R. 27051. An act authorizing the Secretary of War to furnish one condemned brass or bronze "Napoleon" gun, carriage, and cannon balls to the State of Iowa;

H. R. 27238. An act to amend section 2619 of the Revised Statutes of the United States; and

H. J. Res. 241. Joint resolution to authorize the Secretary of War to furnish one condemned bronze cannon and cannon balls to the city of Robinson, Ill.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice-President:

S. 6418. An act authorizing the sale of lands at the head of Cordova Bay, in the Territory of Alaska, and for other purposes;

S. 8333. An act to authorize the Edgewater Connecting Railway Company to construct, maintain, and operate a railroad bridge across the Kansas River at or near Kansas City, Kans., in the county of Wyandotte, State of Kansas;

H. R. 24303. An act for the relief of the estate of Charles Fitzgerald;

H. R. 24635. An act to create a new division in the middle judicial district of the State of Tennessee; and

H. R. 27427. An act to prohibit the importation and use of opium for other than medicinal purposes.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the Spokane Chamber of Commerce, of Spokane, Wash., praying for the removal of the duty on coal imported into the United States, which was referred to the Committee on Finance.

Mr. CULLOM presented a memorial of the Commercial Club of Cairo, Ill., remonstrating against the enactment of any legislation inimical to the corporate interests of the country, which was referred to the Committee on the Judiciary.

He also presented a petition of the State Manufacturers' Association of the State of Illinois, praying for the enactment of legislation providing for the restoration of the American merchant marine, which was referred to the Committee on Commerce.

Mr. FRYE presented a petition of the Society of Colonial Dames of Maine, praying for the enactment of legislation providing for the preservation of the forests of the country, which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. GAMBLE presented a memorial of the American Society of Equity, of Chicago, Ill., remonstrating against the repeal of the duty on wheat, barley, and other grains, which was referred to the Committee on Finance.

Mr. WARREN presented a petition of the State Wool Growers' Association, of Rawlins, Wyo., praying for the enactment of legislation granting the use of the public lands of the country for grazing purposes, which was referred to the Committee on Public Lands.

He also presented a memorial adopted by the National Wool Growers' Association at its annual convention held at Pocatello, Idaho, remonstrating against the repeal of the duty on wool and hides, which was referred to the Committee on Finance.

Mr. BOURNE presented a petition of Local Grange No. 334, Patrons of Husbandry, of Deer Island, Oreg., and a petition of Crowfoot Grange, No. 314, Patrons of Husbandry, of Lebanon, Oreg., praying for the passage of the so-called "rural parcels-post" and "postal savings banks" bills, which were referred to the Committee on Post-Offices and Post-Roads.

Mr. McCUMBER presented a petition of sundry citizens of Grafton, N. Dak., praying for the repeal of the duty on hides, which was referred to the Committee on Finance.

Mr. RICHARDSON presented a memorial of the Peace Society of the State of Delaware, remonstrating against any further appropriation being made for the increase of the navy, which was referred to the Committee on Naval Affairs.

Mr. PAGE presented a petition of Calais Grange, No. 387, Patrons of Husbandry, of East Calais, Vt., praying for the passage of the so-called "rural parcels-post" and "postal savings banks" bills, which was referred to the Committee on Post-Offices and Post-Roads.

THE NAVY DEPARTMENT.

Mr. HALE. I have here, Mr. President, a statement of the Secretary of the Navy before the Committee on Naval Affairs as to the methods of conducting business in the Navy Department. It is an important matter, and I ask that it may be printed as a Senate document and that 500 additional copies be printed for the use of the Senate.

The VICE-PRESIDENT. The Senator from Maine presents a statement made by the Secretary of the Navy before the Committee on Naval Affairs with respect to the manner of conducting business in the Navy Department, and asks that it may be printed as a document (S. Doc. No. 693) and that 500 additional copies be printed for the use of the Senate.

Mr. HALE. At the suggestion of the Senator from Indiana [Mr. BEVERIDGE], I ask that the number of copies be 1,000 instead of 500.

The VICE-PRESIDENT. The Senator from Maine asks that 1,000 additional copies be printed for the use of the Senate. Without objection, the order is made as requested by the Senator from Maine.

REPORTS OF COMMITTEES.

Mr. GUGGENHEIM, from the Committee on Claims, to whom was referred the bill (H. R. 4286) for the relief of John Shull, reported it with an amendment and submitted a report (No. 909) thereon.

Mr. GAMBLE, from the Committee on Indian Affairs, to whom was referred the bill (S. 7380) to authorize the sale and disposition of a portion of the surplus and unallotted lands in the Pine Ridge Indian Reservation, in the State of South Dakota, and making appropriation and provision to carry the same into effect, reported it with amendments and submitted a report (No. 910) thereon.

Mr. SCOTT, from the Committee on Military Affairs, to whom were referred the following bills, reported adversely thereon, and moved that they be indefinitely postponed, which was agreed to:

A bill (S. 8526) for the relief of Willard H. Peck; and

A bill (S. 7993) to correct the military record of Benjamin Brothers.

Mr. CARTER, from the Committee on Foreign Relations, to whom was referred the joint resolution (S. R. 83) for the relief of the firm of Fearon, Daniel & Co., of New York and Shanghai, reported it without amendment and submitted a report (No. 915) thereon.

He also, from the Committee on the District of Columbia, to whom was referred the amendment submitted by Mr. FULTON on the 27th ultimo, providing for the paving with asphalt of Connecticut avenue extended from Macomb street to Newark street, in the District of Columbia, intended to be proposed to the District of Columbia appropriation bill, reported it with amendments and moved that it lie on the table, which was agreed to.

IMPROVEMENT OF BLAINE HARBOR, WASHINGTON.

Mr. FRYE, from the Committee on Commerce, to whom was referred Senate concurrent resolution 86, submitted by Mr. PILES on the 3d instant, reported it without amendment; and it was considered by unanimous consent and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to cause a survey to be made of the harbor at Blaine, Wash., to determine the cost and advisability of its improvement.

CANAL TO THE GULF OF MEXICO.

Mr. FRYE, from the Committee on Commerce, to whom was referred Senate concurrent resolution 82, submitted by Mr. MILTON on the 29th ultimo, reported it without amendment; and it was considered by unanimous consent and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made to ascertain the most feasible and practicable route to build a canal or inland waterway on the shores of the Gulf of Mexico connecting St. Andrews Bay, in the State of Florida,

and the Mississippi River near New Orleans, in the State of Louisiana, with a view to determining the advantage, best location, and probable cost of such canal or inland waterway, and to submit a plan and an estimate for such improvements.

IMPROVEMENT OF POPHAM BEACH, MAINE.

Mr. FRYE, from the Committee on Commerce, to whom was referred Senate concurrent resolution 83, submitted by himself on the 1st instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring). That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination and survey to be made of Popham Beach, Maine, with a view to the building of a bulkhead or breakwater along said beach for the protection of property of the United States and to prevent the deposit of sand in navigable waters adjacent thereto.

WASHINGTON, SPA SPRINGS AND GRETTA RAILROAD.

Mr. SMITH of Maryland. I am directed by the Committee on the District of Columbia, to whom was referred the bill (S. 9006) to amend an act authorizing the Washington, Spa Springs and Gretha Railroad Company, of Maryland, to enter the District of Columbia, approved February 18, 1907, to report it favorably without amendment, and I submit a report (No. 908) thereon. I ask for the present consideration of the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MILITARY ACADEMY AT WEST POINT.

Mr. WARREN. I am directed by the Committee on Military Affairs, to whom was referred Senate resolution 256, submitted by the Senator from Ohio [Mr. DICK] on the 20th ultimo, to report it favorably with an amendment, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution, as follows:

Resolved, That the Secretary of War be directed to furnish to the Senate of the United States copies of all reports, recommendations, and other correspondence of record in the War Department, or at the United States Military Academy at West Point, relative to the subject of hazing at the Military Academy since January 1, 1908; also copies of all reports, recommendations, and other correspondence of record in the War Department relative to cadets of the Military Academy reported as deficient in either conduct or studies, or both, as a result of the last general examination held at the Military Academy.

The amendment of the committee was, in line 6, after the date "1908," to strike out the remainder of the resolution.

The amendment was agreed to.

The resolution as amended was agreed to.

DEWITT EASTMAN.

Mr. SCOTT. I am directed by the Committee on Military Affairs, to whom was referred the bill (S. 8588) to amend an act entitled "An act for the relief of Dewitt Eastman," approved January 8, 1909, to report it favorably with an amendment, and I submit a report (No. 913) thereon. I call the attention of the Senator from Minnesota [Mr. NELSON] to the bill.

Mr. NELSON. I ask for the present consideration of the bill. It relates simply to the removal of a charge of desertion.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. CULBERSON rose.

Mr. SCOTT. It only amends an act that has already passed, in which a mistake was made in not giving the man an honorable discharge. It simply corrects that.

Mr. CULBERSON. It seems to be a short bill. Let it be read.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment of the Committee on Military Affairs was to strike out all after the enacting clause and to insert:

That Dewitt Eastman shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of Battery I, Fourth Regiment U. S. Artillery, on the 13th day of June, 1865: *Provided,* That no pay, bounty, or other emoluments shall accrue by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT ASTORIA, OREG.

Mr. SCOTT. I am directed by the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 7374) to provide for the purchase of a site and the erection of a public building thereon at Astoria, in the State of Oregon, to report

it favorably with amendments, and I submit a report (No. 912) thereon. I call the attention of the Senator from Oregon [Mr. FULTON] to the bill.

Mr. FULTON. I ask unanimous consent for the present consideration of the bill.

The Secretary read the bill; and there being no objection the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendments were, on page 1, line 11, before the word "hundred," to strike out "five" and insert "one;" after the word "hundred" to insert the words "and seventy-five;" and after line 11 to strike out the remainder of the bill down to and including line 9, on page 3, so as to make the bill read:

A bill (S. 7374) to provide for the purchase of a site and the erection of a public building thereon at Astoria, in the State of Oregon.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States post-office in the city of Astoria and State of Oregon, the cost of said site and building, including said vaults, heating and ventilating apparatus, and approaches, not to exceed the sum of \$175,000.

The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

The amendments were agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

COURTS FOR TRIAL OF ENLISTED MEN.

Mr. PERKINS. I am directed by the Committee on Naval Affairs, to whom was referred the bill (H. R. 6252) to promote the administration of justice in the navy, to report it favorably with an amendment, and I submit a report (No. 911) thereon. I ask for the present consideration of the bill. I will state that the Senate passed a bill a few days since, and it is offered as a substitute for the House bill. If the bill is now passed, I propose to recall the Senate bill from the House with a view to its indefinite postponement.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the Committee on Naval Affairs was to strike out all after the enacting clause and to insert:

That courts for the trial of enlisted men in the Navy and Marine Corps, for minor offenses, may be ordered by the commanding officer of a naval vessel, by the commandant of a navy-yard or station, by a commanding officer of marines, or by higher naval authority.

Sec. 2. That such courts shall be known as "deck courts," and shall consist of one commissioned officer only, not below the grade of lieutenant in the Navy or captain in the Marine Corps, who, while serving in such capacity, shall have power to administer oaths, to hear and determine cases, and to impose, in whole or in part, the punishments prescribed by article 30 of the Articles for the Government of the Navy: *Provided,* That in no case shall such courts adjudge discharge from the service or adjudge confinement or forfeiture of pay for a longer period than thirty days.

Sec. 3. That any person in the Navy or Marine Corps, under the command of the officer by whose order a deck court is convened, may be detailed to act as recorder thereof.

Sec. 4. That the officer within whose command a deck court is sitting shall have full power as reviewing authority to remit or mitigate, but not to commute, any sentence imposed by such court; but no sentence of a deck court shall be carried into effect until it shall have been so approved or mitigated.

Sec. 5. That the courts hereby authorized shall be governed in all details of their constitution, powers, and procedure, except as herein provided, by such rules and regulations as the President may prescribe.

Sec. 6. That no person who objects thereto shall be brought to trial before a deck court. Where such objection is made by the person accused, trial shall be ordered by summary or by general court-martial, as may be appropriate.

Sec. 7. That all sentences of summary courts-martial may be carried into effect upon the approval of the senior officer present, and all sentences of deck courts may be carried into effect upon approval of the convening authority or his successor in office.

Sec. 8. That general courts-martial may be convened by the President, by the Secretary of the Navy, by the commander in chief of a fleet or squadron, and by the commanding officer of any naval station beyond the continental limits of the United States.

Sec. 9. That section 1624, article 34, of the Revised Statutes of the United States be, and the same is hereby, amended by adding thereto the words "where they shall be kept on file for a period of two years from date of trial, after which time they may be destroyed in the discretion of the Secretary."

Sec. 10. That it shall be lawful for any civil officer having authority under the laws of the United States or of any State, Territory, or District to arrest offenders, to summarily arrest a deserter from the Navy or Marine Corps of the United States and deliver him into the custody of the naval authorities.

Sec. 11. That a naval court-martial or court of inquiry shall have power to issue like process to compel witnesses to appear and testify which courts of criminal jurisdiction within the State, Territory, or District where such naval court shall be ordered to sit may lawfully issue.

Sec. 12. That every person not belonging to the navy of the United States, who, being duly subpoenaed to appear as a witness before a general court-martial or court of inquiry of the navy, willfully neglects or refuses to appear, or refuses to qualify as a witness or to testify or produce documentary evidence which such person may have been legally subpoenaed to produce, shall be deemed guilty of a misdemeanor,

for which such person shall be punished on information in the district court of the United States; and it shall be the duty of the United States district attorney, on the certification of the facts to him by such naval court to file an information against and prosecute the person so offending, and the punishment of such person, on conviction, shall be a fine of not more than \$500 or imprisonment not to exceed six months, or both, at the discretion of the court: *Provided*, That this shall not apply to persons residing beyond the State, Territory, or District in which such naval court is held, and that the fees of such witness and his mileage, at the rates provided for witnesses in the United States district court for said State, Territory, or District, shall be duly paid or tendered said witness, such amounts to be paid by the Bureau of Supplies and Accounts out of the appropriation for compensation of witnesses: *Provided further*, That no witness shall be compelled to incriminate himself or to answer any question which may tend to incriminate or degrade him.

SEC. 13. That the depositions of witnesses may be taken on reasonable notice to the opposite party, and, when duly authenticated, may be put in evidence before naval courts in cases not capital, as follows: First, depositions of civilian witnesses residing outside the State, Territory, or District in which a naval court is ordered to sit; second, depositions of persons in the naval or military service stationed or residing outside the State, Territory, or District in which a naval court is ordered to sit, or who are under orders to go outside of such State, Territory, or District; third, where such naval court is convened on board a vessel of the United States, or at a naval station not within any State, Territory, or District of the United States, the depositions of witnesses may be taken and used as herein provided whenever such witnesses reside or are stationed at such a distance from the place where said naval court is ordered to sit, or are about to go to such a distance as, in the judgment of the convening authority, would render it impracticable to secure their personal attendance.

SEC. 14. That all acts or parts of acts inconsistent herewith are hereby repealed.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read the third time.

The bill was read the third time and passed.

Mr. PERKINS. I move that the House be requested to return to the Senate the bill (S. 7872) to promote the administration of justice in the navy.

The motion was agreed to.

Mr. PERKINS. I enter a motion to reconsider the vote by which the Senate bill 7872 was ordered to a third reading and passed.

JOHN M. BRYAN, JR.

Mr. OWEN. I am directed by the Committee on Public Lands, to whom was referred the bill (S. 8555) to relinquish the interest of the United States in and to certain lands in Dade County, Fla., to John M. Bryan, jr., to report it favorably with an amendment, and I submit a report (No. 914) thereon. I ask for the present consideration of the bill.

The Secretary read the bill.

Mr. TALIAFERRO. I ask that the bill may go over until I can look into it.

The VICE-PRESIDENT. Objection to present consideration is made. The bill will go to the calendar.

Mr. TALIAFERRO subsequently said: I wish to withdraw the objection to the consideration of Senate bill 8555, that was read a moment ago.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the Committee on Public Lands was, at the end of the bill to insert:

and patent shall issue therefor: *Provided*, The said John M. Bryan, jr., pay \$1.25 an acre for the land referred to prior to the issuance of the patent to him.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. FRYE introduced a bill (S. 9104) granting an increase of pension to James H. Little, which was read twice by its title and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CULLOM (for Mr. HOPKINS) introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 9105) granting an increase of pension to Hattie A. Vaughan;

A bill (S. 9106) granting an increase of pension to John F. Blakely;

A bill (S. 9107) granting an increase of pension to Mary J. Harrison (with an accompanying paper);

A bill (S. 9108) granting an increase of pension to Leander C. Johnson (with the accompanying papers); and

A bill (S. 9109) granting an increase of pension to Uriah L. Rape (with the accompanying papers).

Mr. McCUMBER introduced a bill (S. 9110) for the relief of Commander William S. Hogg, U. S. Navy, and others sta-

tioned at Pensacola, Fla., during the hurricane, September, 1906, which was read twice by its title and referred to the Committee on Claims.

He also introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 9111) granting an increase of pension to Ida Clark; and

A bill (S. 9112) granting an increase of pension to John W. Dunahey.

Mr. FRAZIER introduced a bill (S. 9113) for the relief of Mrs. George M. Goodwin, which was read twice by its title and referred to the Committee on Claims.

He also introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on Claims:

A bill (S. 9114) for the relief of the heirs at law of James B. Hill; and

A bill (S. 9115) for the relief of Abraham Slover.

Mr. GALLINGER (by request) introduced a bill (S. 9116) to incorporate the American Academy of Medicine, which was read twice by its title and, with the accompanying paper, referred to the Committee on the Judiciary.

Mr. PENROSE introduced a bill (S. 9117) for the relief of Nathan Van Beil and others, which was read twice by its title and referred to the Committee on Claims.

Mr. SUTHERLAND introduced a bill (S. 9118) granting an increase of pension to Culbert King, which was read twice by its title and referred to the Committee on Pensions.

Mr. WETMORE introduced a bill (S. 9119) granting an increase of pension to Isabella Morrison, which was read twice by its title and, with the accompanying paper, referred to the Committee on Pensions.

Mr. OVERMAN introduced a bill (S. 9120) for the relief of Marshall Leviner, which was read twice by its title and, with the accompanying papers, referred to the Committee on Claims.

He also introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 9121) granting a pension to Zennie Stanton; and

A bill (S. 9122) granting an increase of pension to Stephen M. Buckner.

Mr. GORE introduced a bill (S. 9123) to increase the limit of cost for erection of a certain post-office building at Oklahoma City, Okla., which was read twice by its title and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 9124) to authorize the Secretary of the Interior to grant rights of way across the segregated coal lands to cities in Oklahoma for public improvements, and for other purposes, which was read twice by its title and referred to the Committee on Public Lands.

Mr. SMITH of Maryland introduced a bill (S. 9125) for the relief of the heirs of Frederick S. Poole, deceased, which was read twice by its title and referred to the Committee on Claims.

Mr. OVERMAN introduced a bill (S. 9126) granting an increase of pension to Wilson Carter, which was read twice by its title and, with the accompanying paper, referred to the Committee on Pensions.

Mr. DANIEL introduced a bill (S. 9127) for the relief of Isaac W. Airey, which was read twice by its title and referred to the Committee on Claims.

Mr. WARNER introduced a bill (S. 9128) granting an increase of pension to Elizabeth Benton Hughes, which was read twice by its title and, with the accompanying papers, referred to the Committee on Pensions.

Mr. RICHARDSON (by request) introduced a joint resolution (S. R. 125) proposing an amendment to the Constitution acknowledging the Deity in this foundation document of the Government, which was read twice by its title and referred to the Committee on the Judiciary.

Mr. WARREN introduced a joint resolution (S. R. 126) authorizing the Secretary of War to donate six condemned cannon to the city of Cheyenne, Wyo., which was read twice by its title and referred to the Committee on Military Affairs.

PARCELS-POST SYSTEM.

Mr. BEVERIDGE. I introduce a joint resolution, and I ask that it be read.

The joint resolution (S. R. 124) authorizing the Postmaster-General to test in not to exceed four counties and report to Congress the practicability and expense of a rural parcel-post system confined entirely to rural routes, was read the first time by its title and the second time at length, as follows:

Resolved, etc., That the Postmaster-General be authorized and directed to experiment and report to Congress on the 1st day of December, 1909, the practicability and expense of establishing a rural parcel-post system on the rural-delivery routes throughout the United States, said

test or experiment to be confined exclusively to rural-delivery routes in not to exceed four counties in the United States for packages of fourth-class matter originating on a rural route or at its distributing post-office for delivery by rural carriers to the patrons thereof. That for the above-mentioned purpose rates of postage on such parcels shall be as follows: Five cents for the first pound and 2 cents for each additional pound or fraction thereof; on parcels weighing 1 pound or less, 5 cents: *Provided*, That no package weighing more than 11 pounds shall be received for conveyance under the provisions hereof.

Mr. BEVERIDGE. Mr. President, I do not ask for the present consideration of the joint resolution, but that it may lie on the table for the present. But at an early day I shall ask that it be taken up and considered. However, I do at this time crave the indulgence of the Senate for two or three minutes for some brief words of explanation.

There have been many objections to this country's adoption of the parcels-post system. The point has been made that it would injure the dealers in small towns by concentrating the trade in the cities.

It has occurred to me, upon reading the recommendation of the Postmaster-General and because of a letter to the Postmaster-General from a postmaster in my own State, which he asked to be referred to me, and which the Postmaster-General has referred to me, that the only way of determining the validity of the objections to a parcels-post system on the one hand or its usefulness to the people on the other hand, would be by an experiment to be made in three or four counties of the country. If it proves impracticable, certainly little injury can result.

I ask that the letter of the Postmaster-General transmitting the letter from Postmaster Starr, of Goshen, Ind., shall be incorporated in my remarks without reading.

The VICE-PRESIDENT. Without objection, permission is granted.

The matter referred to is as follows:

UNITED STATES POST-OFFICE,
Goshen, Ind., January 22, 1909.

The honorable POSTMASTER-GENERAL,
Post-Office Department, Washington, D. C.

SIR: Referring to that portion of your interesting and comprehensive report for the fiscal year ended June 30, 1908, in which you recommend that the "Postmaster-General be authorized to establish experimentally a limited parcels post, confined entirely to rural delivery routes in not to exceed four counties in the United States," for the purpose of testing the practicability of such a system, I beg to assure you that, in my opinion, the suggestion is timely and worthy of adoption. Such a practical test would be educational and tend to dispel opposition existing in the minds of some people who, perhaps, have not considered the matter from the right view point.

In this connection, I beg to state that I would be very glad indeed if Elkhart County might be one of the four counties designated for the experiment in the event your excellent recommendation is carried into effect. In support of this suggestion it occurs to me that some very good reasons can be given in favor of Elkhart County, namely:

Complete county service is well established; service is never suspended on account of bad roads, and I believe that the condition of the highways throughout the county is above the average.

Elkhart County has a population of about 50,000, Goshen, the county seat, having an estimated population for city directory purposes in 1906 of 10,905; and Elkhart, the largest city in the county, claims about 18,000 inhabitants, while Nappanee, Wakarusa, Middlebury, Millersburg, Bristol, and New Paris are thriving towns rating in size and importance in the order named.

The merchants in all the cities and towns named are enterprising, and the rural population comprises a thrifty people and above the average in intelligence.

Therefore it seems to me that conditions existing here are favorable to giving the system a fair test in a rural community, and I respectfully submit the matter for your consideration.

If you deem it expedient, I would be glad to have this communication transmitted to the Hon. ALBERT J. BEVERIDGE, senior Senator from Indiana, with whatever suggestion you desire to make, or, upon your advice, I will write to Mr. BEVERIDGE regarding the subject.

Very respectfully,

MARTIN V. STARR, Postmaster.

OFFICE OF THE POSTMASTER-GENERAL,
Washington, D. C., January 29, 1909.

MY DEAR SENATOR: I beg leave to transmit herewith, in compliance with the suggestion of Mr. Martin V. Starr, postmaster of Goshen, Ind., a copy of his letter to me of the 22d instant, concerning the establishment of a special local parcels post on rural-delivery routes.

Mr. Starr has been advised of this action.

Faithfully, yours,

GEORGE V. L. MEYER.

HON. ALBERT J. BEVERIDGE,
United States Senate.

Mr. BEVERIDGE. I ask also that the paragraph of the Postmaster-General's report upon this subject shall be incorporated without reading.

The VICE-PRESIDENT. Without objection, permission is granted.

The matter referred to is as follows:

In order to demonstrate that this recommendation is a valuable one and to ascertain its practicability on the rural routes throughout the United States, I urge that the Postmaster-General be authorized and directed to establish experimentally a limited local parcels post, confined entirely to rural delivery routes in not to exceed four counties in the United States for packages of fourth-class matter originating on a rural route or at its distributing post-office for delivery by rural carriers to patrons thereof at such special rates of postage and under such regula-

tions as the Postmaster-General may deem advisable; and that no parcel shall be accepted from any person acting as representative for any person or company not a resident on such rural delivery routes or in the town from which they emanate, and that only such parcels shall be received for delivery at the special rates of postage as are offered by bona fide merchants or dealers whose regular places of business are on such rural delivery routes in the ordinary and regular course of their business and in their individual capacity by residents on such routes. The result of the experiment to be reported to Congress at the beginning of the Sixty-first Congress.

Mr. BEVERIDGE. Now for the explanation. This joint resolution is precisely the same kind of a joint resolution by which the practicability and usefulness to the people of rural free delivery was originally tested. It provides that four counties shall be selected by the Postmaster-General. These counties are not to be contiguous, but are scattered over the country. If he should be given this authority this is exactly what would occur in each of those counties: A farmer living any place in the county and not having time to spare from his work to go to town to order anything that he might need, groceries or anything else, would write a postal card, a letter, or he would telephone to the nearest town and have the merchant send his purchases by that day's rural delivery. It thus would seem, that, upon the one hand, the trade of every town, small as well as large, would be increased; and, on the other hand, that the time of the purchaser would be saved.

The prices that are named for this service in the joint resolution have been carefully computed. They are about the same as those now charged by express companies for a like service; but, of course, this is a service which express companies can not do. So, on the one hand, the trade of the towns will be increased, and, on the other hand, the convenience of the people of the country would be subserved.

If any injurious effects resulted it would be confined to these four counties, scattered throughout the whole Republic, and it would last for less than six months. Certainly it would throw great light upon the feasibility of the entire project.

Just one further word. By reason of some closeness of communication with the farmers of the country for the past two or three years on another subject, and from a large correspondence with them, I know, as a matter of fact, that this experiment is not only desired by the rural population of the United States, but is demanded by them.

I think, Mr. President, that is all I have to say in general explanation of the joint resolution, and I am very much obliged to the Senate for its courtesy in permitting me to say this much at this time, out of order. In a few days I shall ask that the resolution be taken from the table; and I shall then submit further considerations in its support.

Mr. TILLMAN. Would the Senator from Indiana be kind enough to answer me a question?

Mr. BEVERIDGE. I will if I can.

Mr. TILLMAN. The Senator said it was doubtful in the minds of a great many whether a parcels post would be good for this country or not. I think I caught that expression.

Mr. BEVERIDGE. Yes; there is doubt.

Mr. TILLMAN. Is not a parcels post in existence in almost every country in Europe?

Mr. BEVERIDGE. Yes.

Mr. TILLMAN. It is not confined to rural routes, because they have not anything there like we have here.

I want to ask the Senator why we should confine the parcels post to rural routes.

Mr. BEVERIDGE. In answer to the Senator's very clear and intelligent question, I will say that I do not know that it should be confined to rural routes. The purpose of the joint resolution—

Mr. TILLMAN. I understand the purpose perfectly well.

Mr. BEVERIDGE. It is merely to test this system in a most limited and immediately practicable way; that is all.

Mr. TILLMAN. In the hope that if we drive the point of the wedge in we will then drive it up?

Mr. BEVERIDGE. Not to do anything one way or the other, except to get light on the subject. Light on the subject will be shed by this experiment. If it is bad it can not hurt anybody and will give us light. If it is good it can help everybody and also give us light. In either event we get information which we otherwise can not possibly have.

Mr. TILLMAN. We already have information as to the working of the parcels-post system in European countries.

Mr. BEVERIDGE. Certainly, in European countries; but the point has been made on this floor in the discussion of the postal savings banks bill that conditions in this country are not similar to the conditions in European countries. That may or may not be a good point. My mind is perfectly open. I am not a devotee of the parcels-post idea on the one hand, nor its opponent upon the other hand; but what the National Legis-

lature must have before it can proceed with the best intelligence is information on the subject; that is all.

Mr. TILLMAN. The Senator will agree, however, that we have the eastern portion of this country as densely populated as almost any European country.

Mr. BEVERIDGE. Perhaps so.

Mr. TILLMAN. Therefore while it might not be permissible on account of the expense in the large areas in the West where there are few people, it inevitably must be a good thing in the eastern portion of the country; and in view of the fact that we have never hesitated to afford mail facilities to the western people because of the extra expense, we could just as readily, I think, provide for a parcels-post system that would be self-sustaining and perhaps give us revenue by putting on such a charge as would enable us to extend the benefits of the parcels post throughout the land.

Mr. BEVERIDGE. Undoubtedly, if the system is a good thing at all. The Senator's remark shows very wise statesmanship.

Recurring to the particular point, this is designed as an experiment to test its benefits or its harmfulness.

Mr. TILLMAN. That would involve confining its benefits to a limited area.

Mr. BEVERIDGE. No.

Mr. TILLMAN. Well, the rural route is only 25 miles, and therefore it would not extend out from a city more than 25 miles in any given direction.

Mr. BEVERIDGE. The Senator apprehends the general purposes of the joint resolution, but he does get confused upon one point. The only reason why the rural route is mentioned here is because it is the most convenient instrument at hand to ascertain how this thing will work when we have the machinery. It does not at all preclude the idea of a general system. I am inclined to think the Senator is right about it. In case the system is good at all we should have a system that will not only include rural free-delivery routes, but also those sections of the country to which the Senator refers. I am not sure about that, but I am inclined to that view now. The object is merely to get information by actual experience, so that in case it is shown that the experiment is successful a bill may be drafted with a knowledge of the conditions.

Mr. TILLMAN. As I understand the Senator, then, he is not prepared to say to-day that he favors a parcels-post system?

Mr. BEVERIDGE. I am not prepared to say to-day or any other day that I am for or against any system until I get the fullest information possible to get upon it.

Mr. TILLMAN. If the Senator is satisfied with walking around the question in that way, I am perfectly content with that.

Mr. BEVERIDGE. If informing one's self before acting is walking around, then I walk around. It is better to get your information before legislating than to legislate before getting your information. We can not have too much of that kind of walking around.

Mr. TILLMAN. I want to say that I am perfectly convinced—

Mr. SCOTT. Mr. President, I should like to know under what rule the discussion is going on?

Mr. BEVERIDGE. None at all, except the courtesy of the Senate.

Mr. SCOTT. If it requires unanimous consent, I object.

Mr. TILLMAN. I will say in conclusion that I am absolutely in favor of a parcels post.

Mr. BEVERIDGE. Let the joint resolution go over.

The VICE-PRESIDENT. The joint resolution will go over.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. GAMBLE submitted an amendment proposing to reserve land in Boreman County, S. Dak., for cemetery purposes for the perpetual use of the Indians of the Standing Rock Indian Reservation, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

He also submitted an amendment authorizing the Secretary of the Interior to pay to the Flandreau tribe of Indians in South Dakota, per capita, the balance remaining in the Treasury to their credit, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. DIXON submitted an amendment proposing to amend the act of Congress approved May 30, 1908, relative to surveying allotments of lands on the Fort Peck Indian Reservation, Mont., and the sale and disposal of all the surplus land after allotment, etc., intended to be proposed by him to the Indian appro-

priation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. LODGE submitted an amendment providing for the appointment of a commission to investigate the condition of diplomatic and consular affairs, etc., intended to be proposed by him to the diplomatic and consular appropriation bill, which was referred to the Committee on Foreign Relations and ordered to be printed.

Mr. GORE submitted an amendment authorizing the Secretary of the Interior to patent or grant a permanent permit, with or without charge, in his discretion, to any of the cities in Oklahoma to the right of way across the segregated coal lands in that State where said right of way is necessary to establish waterworks, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

CREWS ON PASSENGER TRAINS.

Mr. CULBERSON. Mr. President, 12 States of the Union have passed laws relating to the number of men who shall be required to operate a passenger train. I have the compilation here, and I ask that it may be printed as a document (S. Doc. No. 692).

The VICE-PRESIDENT. The Chair hears no objection, and it is so ordered.

THE IMMIGRATION COMMISSION.

Mr. GARY. I submit a resolution and ask that it be read and lie on the table subject to call.

The resolution (S. Res. 279) was read, as follows:

Resolved, That the Immigration Commission, created by section 39 of "An act to regulate the immigration of aliens into the United States," approved February 20, 1907, be, and hereby is, directed to report forthwith to the Congress a brief summary of its acts, doings, and present work, together with an itemized statement of its expenditures, giving the amounts, purpose for which spent, to whom and for whom or what paid, and a list of all persons that have been or now are employed by the commission, directly or indirectly, their residence at time of appointment, the length of service, salary paid, and all allowances, and such other information as will give the Senate an idea of the amount of money and length of time it will take the commission to complete its labors and make its recommendations and final report.

Mr. GALLINGER. Let the resolution go over under the rule.

The VICE-PRESIDENT. The Senator from South Carolina asks that it may lie over, subject to call.

Mr. CULBERSON. The Senator from South Carolina asked that the resolution might be printed, and lie on the table subject to call.

Mr. GALLINGER. Oh, there is no objection to that.

The VICE-PRESIDENT. The Senator from South Carolina asks that the resolution lie on the table, subject to call. Is there objection? The Chair hears none, and it is so ordered.

CLAIM OF ADOLPH G. STUDER, DECEASED.

Mr. LODGE submitted the following resolution (S. Res. 278), which was considered by unanimous consent and agreed to:

Resolved, That the President be requested, if not in his judgment incompatible with the interests of the public service, to furnish the Senate with copies of all the correspondence in regard to the claim of the late Adolph G. Studer, deceased, a citizen of the United States, against the Sultan of Johore, between the Government of Great Britain, in charge of the foreign affairs of the said sultanate, and the Department of State, and also between the said department and the said claimant or his attorneys, arranged in chronological order.

AMENDMENT OF THE RULES.

Mr. LODGE submitted the following resolution (S. Res. 277), which was referred to the Committee on Rules:

Resolved, That the rules of the Senate be, and they hereby are, amended as follows:

RULE XI.

OBJECTION TO READING PAPERS.

Strike out Rule XI and adopt in lieu thereof the following: "When the reading of a paper is called for and objected to, or when the reading of a paper by a Senator is objected to, such objection shall be determined by a vote of the Senate without debate."

RULE XIX.

Change the numbers of paragraphs 4 and 5, of Rule XIX, to numbers 5 and 6, respectively, and add new paragraph, No. 4, to said rule, as follows:

"4. No Senator in debate shall refer offensively to either of the other coordinate departments of the Government or to the other branch of the Congress."

RESIGNATION OF JUDGES.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 4535) entitled "An act to amend section 714 of the Revised Statutes of the United States, relating to the resignation of judges of the courts of the United States," which were, in line 7, after "United States," to insert "appointed to hold his office during good behavior;" in line 9, after "years," to insert "continuously;" and in line 10, to strike out all after "during," down

to and including "resignation," in line 12, and insert "the residue of his natural life, receive the salary which is payable at the time of his retirement for the office that he held at a time ten years before his resignation."

Mr. KNOX. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Finance:

H. R. 24135. An act to amend an act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1896, and for other purposes;"

H. R. 24337. An act to amend section 2625 of the Revised Statutes of the United States; and

H. R. 27238. An act to amend section 2619 of the Revised Statutes of the United States.

The following bills were severally read twice by their titles and referred to the Committee on Public Lands:

H. R. 24833. An act to declare and enforce the forfeiture provided by section 4 of the act of Congress approved March 3, 1875, entitled "An act granting to railroads the right of way through the public lands of the United States;" and

H. R. 24835. An act authorizing the necessary resurvey of public lands.

H. R. 26829. An act to amend an act entitled "An act to authorize the Fayette Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of Brownsville, Fayette County, to a point in the borough of West Brownsville, Washington County," approved April 23, 1906, was read twice by its title and referred to the Committee on Commerce.

The following bill and joint resolution were severally read twice by their titles and referred to the Committee on Military Affairs:

H. R. 27051. An act authorizing the Secretary of War to furnish one condemned brass or bronze "Napoleon" gun, carriage, and cannon balls to the State of Iowa; and

H. J. Res. 241. Joint resolution to authorize the Secretary of War to furnish one condemned bronze cannon and cannon balls to the city of Robinson, Ill.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. GALLINGER. I ask unanimous consent for the present consideration of House bill 25392, known as the District of Columbia appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 25392) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1910, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. GALLINGER. I ask unanimous consent that the formal reading of the bill be dispensed with; that the bill be read for amendment; and that committee amendments be first considered.

The VICE-PRESIDENT. The Senator from New Hampshire asks unanimous consent that the formal reading of the bill be dispensed with; that the bill be read for amendment; and that committee amendments be first considered. Without objection, it is so ordered.

The Secretary proceeded to read the bill. The first amendment reported by the Committee on Appropriations was, under the head "General expenses," on page 1, line 12, before the word "dollars," to strike out "five thousand" and insert "six thousand five hundred;" on page 2, line 2, before the word "dollars," to strike out "two hundred and eighty" and insert "one thousand seven hundred and eighty;" and in line 3, before the word "dollars," to strike out "five thousand" and insert "six thousand five hundred," so as to read:

For executive office: For two commissioners, at \$6,500 each; engineer commissioner, \$1,780 (to make salary \$6,500).

The amendment was agreed to.

Mr. BACON. Mr. President, I do not wish to unduly delay the bill in any particular, but I desire to say, in the beginning, that these appropriation bills, carrying large sums of money, come to us and are seen by Senators who are not members of the Committee on Appropriations for the first time when the bills are called up. It is impossible for us to give any due consideration to the appropriations of these large amounts unless the bill is read with some degree of slowness and particularity. I am moved to make this statement by the fact that the Clerk reads an amendment, and it is pronounced "agreed to" by the Chair before we even have an opportunity to know what it is.

Speaking for myself, I do not feel that I am primarily responsible in any degree for these matters of appropriation; but it does occur to me that the time has come when the Senate should take a more general interest in the items of appropriation bills than we have done heretofore—at least, I feel that for myself. I should like the bill to be proceeded with without undue delay, but in such a way that we can at least keep up with the Clerk as he proceeds with its reading.

The VICE-PRESIDENT. The Chair supposed that he had put distinctly the question as to whether each amendment so far considered was to be agreed to. If any Senator should not hear the submission of an amendment for the consideration of the Senate, it will, of course, be resubmitted upon request.

Mr. GALLINGER. Mr. President, I offer amendments in behalf of the committee, which I send to the desk.

The VICE-PRESIDENT. The amendments proposed by the Senator from New Hampshire will be stated.

The SECRETARY. On page 2, line 11, it is proposed to strike out the word "at," the first word in the line, and to insert the words "one at."

The VICE-PRESIDENT. Is there objection to the amendment? Without objection, it is agreed to. The next amendment proposed by the Senator from New Hampshire will be stated.

The SECRETARY. On page 2, line 11, after the word "thousand," it is proposed to strike out "two" and to insert "four."

The VICE-PRESIDENT. Is there objection to the amendment? Without objection, it is agreed to.

Mr. BACON. Mr. President, I am utterly in the dark as to what those amendments are.

The VICE-PRESIDENT. The Secretary will again state the amendments.

Mr. BACON. I heard what the Secretary stated; but unless we can see something of the connection we can not tell what the amendments are.

Mr. GALLINGER. I will state to the Senator what the committee contemplates: In the bill, as reported from the committee, there is a provision for two clerks at \$1,200 each.

Mr. BACON. Very well.

Mr. GALLINGER. And these amendments contemplate giving one clerk at \$1,400 and one clerk at \$1,200. That is the only change.

Mr. BACON. That is entirely intelligible, but before the Senator's statement it was absolutely unintelligible.

Mr. GALLINGER. I think the Senator from Georgia is right.

The VICE-PRESIDENT. For the information of the Senate, the Secretary will state the amendments which are proposed by the committee, and then the text of the bill as it will read if amended.

The SECRETARY. On page 2, at the beginning of line 11, it is proposed to strike out the word "at."

Mr. GALLINGER. Let the word "one" be inserted before the word "at," in place of striking out "at."

The SECRETARY. On page 2, line 11, before the word "at," the first word in the line, it is proposed to insert the word "one;" in the same line, after the word "thousand," it is proposed to strike out the word "two" and insert the word "four;" and in the same line, after the word "dollars," it is proposed to strike out "each" and the semicolon and insert the words "and one at \$1,200."

The VICE-PRESIDENT. Without objection, the amendments will be agreed to. The Secretary will now read the text as it has been amended.

The SECRETARY. As amended, the clause will read:

Two assistant secretaries to commissioners, one at \$1,400 and one at \$1,200.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 3, line 11, after the word "dollars," to insert "deputy inspector of buildings, \$2,000;" and in line 14, before the word "assistant," to strike out "ten" and insert "eleven," so as to read:

Building inspection division: Inspector of buildings, \$2,750; deputy inspector of buildings, \$2,000; principal assistant inspector of buildings, \$1,600; 11 assistant inspectors of buildings, at \$1,200 each.

The amendment was agreed to.

The next amendment was, on page 4, line 10, after the word "dollars," to insert "index clerk, \$720," so as to make the clause read:

Plumbing inspection division: Inspector of plumbing, \$2,000; principal assistant inspector of plumbing, \$1,400; 5 assistant inspectors of plumbing, 1 at \$1,200 and 4 at \$1,000 each; clerk, \$1,200; temporary employment of additional assistant inspectors of plumbing and laborers for such time as their services may be necessary, \$2,000; draftsman, \$1,350; sewer tapper, \$1,000; index clerk, \$720; 3 members of the plumbing board, at \$300 each.

The amendment was agreed to.

Mr. GALLINGER. I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from New Hampshire will be stated.

The SECRETARY. On page 4, after line 12, it is proposed to insert:

Child-labor inspectors: For 2 inspectors of child labor, at \$1,200 each, \$2,400.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from New Hampshire.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 4, line 14, to increase the total appropriation for maintenance of executive office from \$104,254 to \$112,647.

Mr. GALLINGER. Let the total be changed to correspond with the additional amendment which has been made.

The SECRETARY. It is proposed to amend the amendment by changing the total on page 4, line 14, so as to read "\$115,274."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. BACON. I should like to ask the Senator from New Hampshire a question in regard to the amendment which he has proposed for child-labor inspectors. Is that matter provided for in the child-labor law heretofore passed?

Mr. GALLINGER. I will say to the Senator that we passed the child-labor law, but failed to give the necessary force to execute it. This simply provides the necessary force.

Mr. BACON. It creates the office as well as provides for the payment?

Mr. GALLINGER. No. The office was created by law at the last session, I will say to the Senator.

Mr. BACON. I understood the Senator to say that we failed in the law which we passed to provide the necessary force.

Mr. GALLINGER. Yes; that is it, precisely. We did not make any—

Mr. BACON. This bill, then, adds to the force, does it, and also provides for the pay?

Mr. GALLINGER. It provides the inspectors for which we failed to provide in the bill when it was enacted.

Mr. BACON. That is exactly the question I asked the Senator from New Hampshire.

Mr. CLAY. With the Senator's permission—

The VICE-PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Georgia?

Mr. GALLINGER. Certainly.

Mr. CLAY. We have passed over page 3, line 10. The matter escaped me at the time, but I wish to recur to the item under the building-inspection division, which reads:

Inspector of buildings, \$2,750; deputy inspector of buildings, \$2,000; principal assistant inspector of buildings, \$1,600; 11 assistant inspectors of buildings, at \$1,200 each.

It seems to be peculiar language—"inspector of buildings, \$2,750; deputy inspector of buildings, \$2,000; principal assistant inspector of buildings, \$1,600." Why should it not simply read "twelve assistant inspectors?" The proper language, it strikes me, would be "inspector of buildings, \$2,750; 12 assistant inspectors, at \$1,200 each." The bill provides one "deputy inspector of buildings" and also a "principal assistant inspector of buildings." I must confess that I can not see the reason for these designations, unless there is a difference in the duties or something of that character.

Mr. GALLINGER. So far as the title "principal assistant inspector of buildings" is concerned, the other body is responsible for that. It has been in the bill ever since I have been in the Senate. I will say to the Senator that the difference is that in certain cases we expect to get a higher grade of service, and the Senator will observe that a larger salary is paid to the deputy inspector and the principal assistant inspector than to the other assistant inspectors. That is the purpose of the provision.

Mr. BACON. It is in line with the precedent we established when we passed the bill which authorized an Under Secretary of State, is it not?

Mr. GALLINGER. Exactly.

Mr. BACON. It was suggested at the time that it would be taken as a precedent.

Mr. CULBERSON. Mr. President, I have just secured a copy of the report accompanying this bill. It is report No. 897. I notice that the bill as passed by the House carried a total of \$9,955,049.52. The Committee on Appropriations of the Senate present this bill with a total of \$11,974,722.16, being a net increase of this bill over the bill as it came from the House of \$2,019,672.64.

The report, Mr. President, it is true, states the items of increase; but there is nothing in the report, so far as I have seen, which states the reasons of the committee for increasing the total appropriation by this extraordinary amount. I should like to have the Senator from New Hampshire—and I am sure he can do so—state the reasons for the increase, not taking up each item separately, but taking up the large items commencing with the proposed increase of the salaries of the commissioners from \$5,000 to \$6,500.

Mr. GALLINGER. Mr. President, I am very much gratified to find so keen an interest displayed in the District of Columbia appropriation bill. I believe this is the first time since my service in the Senate that such interest has been manifested. It bodes well for good legislation, and it is a great gratification to me to discover it.

Mr. CULBERSON. In reply to the Senator from New Hampshire, I will say that I have made the same request at this session of every Senator having in charge a large appropriation bill. I agree with the Senator that the interest displayed bodes well for legislation upon this bill and upon other matters.

Mr. GALLINGER. Yes. Now, Mr. President, if the Senator will turn to the hearings before the subcommittee of the Committee on Appropriations, a copy of which I will send him, embracing 228 printed pages, he will find in detail our reasons for making these increases. The commissioners were interrogated on every point, and we only inserted a portion of their recommendations. The estimates of the commissioners were over \$16,000,000, but we kept the bill down to \$11,000,000. We thought that was a fair amount.

The question of the increase of the salaries of the commissioners is one that was determined by the subcommittee, and subsequently by the full committee, without any consultation with those gentlemen concerning the matter. The committee thought it was but fair to make a reasonable increase in the salaries of those very diligent and very hard-worked officials, who work almost every day in the year and who have all the great interests of the District of Columbia on their hands to care for. I do not know whether it was a wise thing to do or not, but it appealed to me, and I voted for it. I hope it will remain in the bill and go to conference, where it can be further considered.

The other large increases are, to a considerable extent, for schoolhouses and other matters that are very urgent in this District. In fact, Mr. President, in my judgment, we ought to have at least a million dollars more on this bill for the purchase of land and the construction of schoolhouses in the District of Columbia; but realizing the fact that we ought not to swell this bill inordinately, we made provision for only a very small part of what we thought was absolutely necessary.

We made large increases, Mr. President, in the appropriation for sewers—

Mr. BURKETT. Mr. President—

The VICE-PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Nebraska?

Mr. GALLINGER. Certainly.

Mr. BURKETT. While the Senator is on that point, would he state how much extra appropriation is made for schoolhouses?

Mr. GALLINGER. I think about \$297,000, or something like that.

Mr. BURKETT. That would provide something like five additional buildings, would it not?

Mr. GALLINGER. The Senator, if he will turn to the bill under that head, will discover exactly what we have done. We shall reach that in due time.

We made a large additional appropriation for sewers. There were some members of the committee, at least, who felt that the public health was of great concern and that we could not have a good condition here, so far as the public health was concerned, unless we had a complete system of sewerage. We did not do one-half in that connection that we ought to have done, but we did something, and we hope it will remain in the bill. Other important matters I would allude to, but I presume it is not necessary at this time.

Mr. CULBERSON. Mr. President—

The VICE-PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Texas?

Mr. GALLINGER. Certainly.

Mr. CULBERSON. Before the Senator passes entirely from the question of buildings and grounds for the public schools, I note on page 3 of the report that the total increase amounts to \$349,000. At the last session of Congress, I think, I introduced a resolution asking the Committee on the District of Columbia to inquire into the safety of the school children of the District with reference to fire protection in the buildings. That resolution has never been reported back to the Senate from that

committee, and I do not know what has become of it. I now ask the Senator in charge of this bill if this \$349,000 increase includes any additional fire protection to the children of the District of Columbia in the schoolhouses?

Mr. GALLINGER. I will say to the Senator in that connection that we made a very large appropriation for that purpose last year in the last District of Columbia appropriation bill; I have forgotten the exact amount, but it enabled the building inspectors' division to make very radical changes, to fireproof stairways and exits so that at the present time it is believed the school buildings are very safe. Of course, we could spend a great deal more money in that direction, and I hope we shall do so in the near future, but, as I recall, we have not any appropriation in this bill for that specific purpose, believing, as we did, that having made a large appropriation in the last Congress perhaps we could get along without making a further appropriation this year.

Mr. CULBERSON. I am gratified to know that the Committee on the District of Columbia, while it did not report the resolution back to the Senate, has taken action with reference to increased protection from fire in the public schools. I note now—and I am sure the Senator will justify this inquiry—that on page 3 of the report there is a statement of an increase for the public schools of \$101,335 under the general head "Miscellaneous." We should like to know at least some of the larger items of that increase.

Mr. GALLINGER. Well, would not the Senator be willing to restrain his intense interest in this matter until we reach that item in considering the bill? When we reach that page we can discuss it.

Mr. CULBERSON. If it will suit the convenience of the Senator better, I shall be glad to defer it.

Mr. GALLINGER. I think that would be the better way.

Mr. CULBERSON. I trust the Senator will not fail to point out the items of miscellaneous expenditures under the head of "Public schools."

Mr. GALLINGER. I shall be delighted to do that when we come to that part of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 5, line 4, after the words "United States," to strike out "one-half," and in line 5, after the words "District of Columbia," to strike out "and one-half as miscellaneous receipts," so as to make the clause read:

The Commissioners of the District of Columbia are hereby authorized and directed, from time to time, to prescribe a schedule of fees to be paid for permits, certificates, and transcripts of records issued by the inspector of buildings of the District of Columbia, for the erection, alteration, repair, or removal of buildings and their appurtenances, and for the location of certain establishments for which permits are now or hereafter may be required under the building regulations of the District of Columbia, said fees to cover the cost and expense of the issuance of said permits and certificates and of the inspection of the work done under said permits; said schedule shall be printed and conspicuously displayed in the office of said inspector of buildings; said fees shall be paid to the collector of taxes of the District of Columbia, and shall be deposited by him in the Treasury of the United States to the credit of the revenues of the District of Columbia.

Mr. BACON. Mr. President, I notice that the striking out of those words is an amendment to the bill as it came from the House. I simply desire to ask the Senator, without occupying any time in so doing, whether that has been the law heretofore and it is now sought to change it?

Mr. GALLINGER. I will say to the Senator that I do not know whether the other House made a mistake in that matter, or whether they purposely put that provision in the bill; but the revenues as provided in this paragraph are revenues of the District of Columbia, and they should go into its treasury.

Mr. BACON. I quite agree with the Senator. As an original proposition, that strikes me favorably. I simply desired to know what has been the law heretofore in that regard.

Mr. GALLINGER. Always precisely as we propose to amend the bill.

Mr. BACON. Then I think the amendment is entirely proper. The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 5, line 17, after the word "each," to insert "two laborers, at five hundred dollars each;" in line 22, before the word "watchmen," to strike out "eight" and insert "nine;" and in line 24, before the word "and," to strike out "thirty-seven thousand four hundred," and insert "thirty-nine thousand," so as to read:

For care of District building: Clerk and stenographer, \$1,500; chief engineer, \$1,400; three assistant engineers, at \$1,000 each; electrician, \$1,200; two dynamo tenders, at \$875 each; three firemen, at \$720

each; three coal passers, at \$600 each; one electrician's helper, \$840; eight elevator conductors, at \$600 each; two laborers, at \$660 each; two laborers, at \$500 each; two chief cleaners, who shall also have charge of the lavatories, at \$500 each; forty cleaners, at \$240 each; chief watchman, \$1,000; assistant chief watchman, \$600; nine watchmen, at \$600 each; one pneumatic-tube operator, \$600; in all, \$39,030.

Mr. BACON. Mr. President, I want to make a suggestion to the Senator from New Hampshire, if he will permit me. I should like to suggest, in the interest of time, that as each amendment is reached, he would, as briefly as he may see proper, state the cause for it, so as to prevent the necessity for any interruption or expenditure of time in asking any question about it. Very frequently there are items which we do not understand, and as to which we should like to have some statement, but, at the same time, we do not like to interrupt the Senator to ask it of him.

Mr. GALLINGER. Does the Senator desire an explanation as to the insertion of the words "two laborers, at \$500 each?"

Mr. BACON. I do not as to that item particularly. My suggestion was more of a general character than relating to that particular item.

Mr. GALLINGER. I will say to the Senator that the small increases we have made in the force, not only for the care of the District building, but in other parts of the bill, are a very small part of what we were asked to grant. Realizing the fact that some increase ought to be made, we gave them these two appointments.

Mr. BACON. I repeat that my suggestion did not relate to that particular item, but was intended to be general.

Mr. TILLMAN. Mr. President—

The VICE-PRESIDENT. Does the Senator from New Hampshire yield to the Senator from South Carolina?

Mr. GALLINGER. Certainly.

Mr. TILLMAN. I was merely going to remark, having been on the subcommittee with our laborious friend from New Hampshire [Mr. GALLINGER], that our work was mainly in resisting the importunities of the Commissioners of the District, who had asked, I believe, for about double or more than double what we have given them. They seemed to be very importunate and insistent on getting more, more, more of everything—more money and more employees. We resisted as far as we were able apparently; at least I did, and the Senator from New Hampshire was even more repugnant to granting some of their demands than I was. We did the best we could.

Mr. GALLINGER. That is right.

Mr. CLAY. Will the Senator from New Hampshire yield to me for a minute?

Mr. GALLINGER. Certainly.

Mr. CLAY. Mr. President, we spend more money to keep up the city of Washington by \$2,000,000 than is spent for the state government of Texas. Texas has a population of 4,000,000 people, and it spends \$10,000,000 per year. In Georgia we now have a population of probably two million and a half, and we spend about \$4,000,000. Maine has a population of about six or seven hundred thousand, and she spends a little over two and a half million dollars. I have mentioned Georgia. We spend in this city about \$12,000,000.

I agree that Washington ought to be a beautiful city. It belongs to the people of the United States. But in a period of twelve years we have leaped from \$5,000,000 to \$12,000,000. But this increase has not gone on so rapidly as have increases in other departments of the Government. In the same period of time you have seen the naval appropriation go from \$30,000,000 to \$134,000,000, as it probably will be when the bill shall have passed the Senate. You have seen the army appropriation bill grow from \$28,000,000 to \$120,000,000. We know at this time that imports from other countries into this country during the last year have fallen off by more than \$300,000,000, and our exports have fallen off \$170,000,000. We have been discussing on the floor of the Senate for the last three or four years what we would do with our \$300,000,000 of surplus. I stand here in my place and predict that in less than twelve months from to-day there will not be a single dollar of surplus in your Treasury, and that at the rapid speed at which we are going in less than two years, unless your revenues increase, the Government will be called upon to issue bonds for the purpose of maintaining the Government.

I have no criticism to make of the Senator from New Hampshire. He has a herculean task before him. He is besieged day after day for these appropriations; and I do not desire to be niggardly in my course in regard to this great city. But when we study the history of our finances and the increases that have gone on during the last ten or twelve years it is absolutely alarming. I do not charge it to the other side; I do not charge it to this side of the Chamber, but my observation teaches me that there is growing among the people the sentiment "how

much money can Senators and Representatives bring from the National Treasury into the different States;" and our efficiency is judged by how much money we get for our constituents, forgetting that every single dollar of public funds must come from the people by taxation.

Mr. TILLMAN. I should like to suggest to the Senator that they are great idiots if they think the money can come from any other source than the people.

Mr. CLAY. That sentiment is growing in South Carolina. It is growing in Georgia. It is growing in every State of the Union, I believe. The people simply clamor, "What have you done? How much money have you brought to the State?" Unless the Government is administered more economically in the next ten years than it has been in the last ten, I can not tell where it will end. In a period of ten years it costs as much money to repair a battle ship as to construct it.

Mr. President, our expenditures have grown more rapidly in the last seven or eight years than in any other period in the history of our country.

Mr. OVERMAN. May I ask the Senator from Georgia a question?

Mr. CLAY. Certainly.

Mr. OVERMAN. I notice that in the statement the Senator made he compared the expenses of this city with those of some of the States. Has he ever made any comparison between the expense of carrying on this city and other cities of the same size?

Mr. CLAY. I have not; but I am going to have some figures made—

Mr. GALLINGER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from New Hampshire?

Mr. CLAY. Certainly.

Mr. GALLINGER. The comparison the Senator from Georgia has made is an unfortunate one. In Georgia they have not only a state appropriation, but they have expenses in every county in the State and in every town or township. In the District of Columbia this is a sum that covers the expenditures of the entire District. We will take as an illustration the little State of New Hampshire, with a few more people than the District of Columbia. Our state tax has been only \$500,000. I believe they are going to increase it this year. But when you reckon what the town and township taxes are, it swells the amount enormously. So a comparison between the appropriations for the District of Columbia and the state taxes of any given State is an unfortunate one.

I think our appropriations for the District of Columbia are kept well within bounds, and I have every reason to believe that every dollar appropriated is judiciously and honestly expended. We have a pride in the belief, at least—and I think it is well founded—that in no municipality in this whole country is the business transacted with such scrupulous integrity as in the District of Columbia. Of course, we would be glad to keep the appropriations down still lower if we could, but, as the Senator from South Carolina has stated, we sat in the committee room hour after hour—

Mr. TILLMAN. Day after day.

Mr. GALLINGER. Day after day, and we acted upon our best judgment, resisting importunities that were sometimes almost persuasive, and we have reported such a bill as we thought about right.

Mr. CLAY. I did not intend to criticise the Senator from New Hampshire.

Mr. GALLINGER. I did not take it that way.

Mr. CLAY. I esteem him most highly. There is no Senator more zealous in the discharge of his duties than the Senator from New Hampshire. He has before him a task I would not want. I am fully aware of the fact that when the subcommittees are in session they are compelled to devote most of their time to appeals for appropriations for improvements in different parts of the city, and my remarks were not intended to complain especially of extravagance in the city of Washington. I concede that the city of Washington ought to be the most beautiful city in the world; but I was making this comparison of the rapid increases which have been made in other departments to show the point we have reached.

The Senator from New Hampshire will concede that two or three years ago we thought we had more money than we could utilize. We had \$250,000,000 deposited in the national banks in the United States, and criticisms on both sides of the Chamber were made against collecting more revenue than we needed for the purpose of paying the expenses of the Government; and the Senator from New Hampshire will concede now that the time is bound to come, unless there is either an increase in the revenues

or a decrease in expenditures, when we will have no surplus, but a deficit.

We are going to be called upon in a short time to revise the tariff, and some of our folks on this side of the Chamber have been clamoring day and night for a reduction of the tariff, but I am frank to confess that some of my constituents, when they see revision near at hand, are not so strong on that line. But how are you going to revise it unless you arrange at least by your schedules to get as much money as you spend? It is a difficult problem. If we had \$300,000,000 surplus in the Treasury, it would not be a difficult task to revise the schedules and get at it. This theory may be true; you may reduce your schedules as to articles coming into this country in competition with articles made in this country, and by such methods our imports may be greater and consequently our revenue greater.

Mr. TILLMAN. I wish to ask the Senator a question. Does he not believe from his information of the tariff that if the duties were lower the income would be greater because of the fact that many of the duties now are prohibitive and therefore the imports are restricted?

Mr. GALLINGER. But if the Senator will permit me, what, under those circumstances, is to become of our American industries?

Mr. TILLMAN. If we really want to increase our revenue, we must reduce the duties.

Mr. GALLINGER. I am afraid our people under those circumstances would not have anything with which to buy foreign goods.

Mr. CLAY. I have always been taught the doctrine that we ought to have sufficient revenue to pay the expenses of the Government. Of course, when duties become prohibitive, we do not get much revenue. But let us look now at the difference between the Republican party and the Democratic party. The Republican party is insisting that we shall have a tariff for protection, and the Democratic party a tariff sufficient to pay the expenses of the Government, economically administered, which means incidental protection. But if our expenditures are going to reach a billion or a billion and a quarter dollars a year, and you raise enough money to pay the expenses of the Government, that will be all the protection any man in this country would want, because the expenses have grown so large. The very fact that you have to raise enough money to meet these expenses will certainly give all the protection that the people of any section of our common country can want. The strongest protectionist ought to be satisfied with this situation.

Mr. GALLINGER. Mr. President, the tariff question having been disposed of, I hope the reading of the bill will be proceeded with.

Mr. BACON. May I interrupt the Senator long enough to say that the very high tribute which he has paid to the scrupulous care with which the business of the District is managed is a very strong argument against the proposition to change the character of the government of the District.

Mr. GALLINGER. I think that is right.

The reading of the bill was resumed and continued to the end of line 4, on page 6, the last paragraph read being as follows:

Hereafter policemen shall not be detailed for duty as watchmen at the municipal building.

Mr. BACON. Will the Senator explain why these policemen shall not be detailed? Is it considered that no such guardianship is needed?

Mr. GALLINGER. I will say to the Senator that this is a House provision. It seems that last year, I think, two policemen were detailed from the force for duty at the municipal building. We feel that with the bill, especially as the Senate has amended it, they will have force enough, and we know of no reason why the policemen should not be kept at the duties that it is contemplated they shall perform.

Mr. BACON. There are other officers who can perform the work?

Mr. GALLINGER. Yes; we felt so.

Mr. FRAZIER. I notice that in line 22, page 5, the number of watchmen is fixed at nine. I desire to ask the Senator from New Hampshire if heretofore it has not been the custom to assign old and somewhat decrepit policemen, long in the service, to the discharge of the duties as watchmen, and if five of those have not been heretofore thus assigned?

Mr. GALLINGER. There is constant clamor that we have not policemen enough, not only on the part of the commissioners, but on the part of the public and on the part of men in public life, and we felt that we ought to keep our policemen at their proper duties, and not have them at the will of the commissioners detailed for work of a different character. We did increase the number of watchmen by one. They asked for

two more. We gave them one, and we have no doubt they will get along under the provisions of the bill.

Mr. FRAZIER. Is it not a fact that only five policemen have been thus employed to do the work now proposed to be done by nine watchmen?

Mr. GALLINGER. We do not deal with the question of policemen at all. They were detailed by the commissioners.

Mr. FRAZIER. Has it not been the custom to detail policemen who have had long service, and who by reason of their long service are more or less disabled, to discharge the duties of watchmen? Is not that a very proper way to dispose of those faithful public servants who for many years have been in the employment as policemen doing outdoor work?

Mr. GALLINGER. I know of no law that would warrant a detail of that kind. If there are policemen who are incapacitated, they ought to be retired. We give them a liberal pension. They ought not to be kept in the service.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 6, line 5, after the word "repairs," to insert "mechanics and labor, not to exceed \$3,000," and in line 7, before the word "thousand," to strike out "twenty-six" and insert "twenty-eight;" so as to make the clause read:

For fuel, light, power, repairs, mechanics, and labor, not to exceed \$3,000, and miscellaneous supplies, \$28,000.

The amendment was agreed to.

The next amendment was, on page 6, line 26, to increase the appropriation for the salary of clerk in the assessor's office from \$600 to \$720.

The amendment was agreed to.

The next amendment was, on page 7, line 1, to increase the total appropriation for maintenance of assessor's office from \$44,100 to \$44,220.

The amendment was agreed to.

The next amendment was, on page 7, line 15, to increase the appropriation for salary of deputy collector for collector's office from \$1,800 to \$2,000; and in line 23, to increase the appropriation for salary of messenger in collector's office from \$600 to \$720.

The amendment was agreed to.

The next amendment was, on page 7, line 24, to increase the total appropriation for maintenance of collector's office from \$21,300 to \$21,620.

The amendment was agreed to.

The next amendment was, on page 8, line 5, after the word "clerk," to insert "and deputy auditor;" in line 6, before the word "dollars," to strike out "two hundred and fifty" and insert "five hundred;" in line 14, before the word "hundred," to strike out "five" and insert "eight;" and in line 18, before the word "dollars," to strike out "two hundred and fifty" and insert "eight hundred," so as to make the clause read:

For auditor's office: For auditor, \$4,000; chief clerk and deputy auditor, \$2,500; bookkeeper, \$1,800; 2 clerks, at \$1,600 each; 3 clerks, at \$1,400 each; 3 clerks, at \$1,200 each; 5 clerks, at \$1,000 each; 2 clerks, at \$900 each; clerk, \$720; messenger, \$600; disbursing officer, \$3,000; deputy disbursing officer, \$1,800; 1 clerk, \$1,200; 1 clerk, \$900; messenger, \$480; in all, \$34,800.

The amendment was agreed to.

The next amendment was, on page 9, line 11, after the word "dollars," to insert "hostler and laborer, \$365," and in line 13, before the word "dollars," to insert "three hundred and sixty-five," so as to make the clause read:

For coroner's office: For coroner, \$1,800; morgue master, \$720; assistant morgue master and janitor, \$480; hostler and laborer, \$365; in all, \$3,365.

Mr. GARY. I should like to ask the Senator in charge of the bill if the office has not gotten along heretofore without this hostler and laborer; and if so, what is the necessity for him now?

Mr. GALLINGER. I will read from the hearings. Commissioner Macfarland said:

The note explains the necessity for adding a hostler and laborer to the coroner's office at \$365. There are only two men, of course, in that office, the morgue master and assistant morgue master; and two men should go with the morgue wagon, for it is difficult, if not impossible, for one person to remove bodies.

Senator GALLINGER. Who takes care of the horses now?

Commissioner MACFARLAND. They pay a man between themselves.

Upon that representation, that there were two men where there ought to be three, which they have insisted upon for several years, and in view of the fact that these two men were paying another man, the committee felt that the increase should be allowed.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Committee on Appropriations.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 10, line 13,

after the word "dollars," to strike out "second assistant sealer of weights and measures, \$900" and insert "two assistant sealers of weights and measures, at \$900 each;" and in line 17, before the word "and," to insert "nine hundred," so as to make the clause read:

For office of sealer of weights and measures: For sealer of weights and measures, \$2,500; first assistant sealer of weights and measures, \$1,200; two assistant sealers of weights and measures, at \$900 each; clerk, \$1,000; laborer, \$480; in all, \$6,980.

The amendment was agreed to.

The next amendment was, on page 10, line 21, to increase the appropriation for salary of engineer of bridges from \$2,100 to \$2,250.

The amendment was agreed to.

The next amendment was, on page 11, line 10, to increase the appropriation for salary of superintendent of repairs in the engineer's office, record division, from \$1,500 to \$1,800.

The amendment was agreed to.

The next amendment was, on page 11, line 13, to increase the appropriation for salary of assistant superintendent of trees and parkings from \$1,000 to \$1,200.

The amendment was agreed to.

The reading of the bill was continued to the end of line 16, on page 11.

Mr. BACON. I simply desire to know whether the copy of the bill which I have is correct. The Clerk read, in lines 15 and 16, as follows:

Four assistant engineers, at \$1,800.

In my copy the word "each" follows those words.

Mr. GALLINGER. "Each" should be in—"four assistant engineers, at \$1,800 each."

Mr. BACON. It is in the copy I have, but it was not so read by the Clerk. I thought my copy was incorrect.

The VICE-PRESIDENT. The Secretary inadvertently omitted the word.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in the item for engineer's office, record division, on page 11, line 22, after the word "dollars," to insert "duplicating clerk, \$900," so as to read:

One assistant engineer, \$1,200; 2 transitmen, at \$1,200 each; 1 transitman, \$1,050; duplicating clerk, \$900.

The amendment was agreed to.

The next amendment was, in the item for engineer's office, record division, on page 12, line 3, before the word "two," to strike out "two draftsmen, at \$1,350 each" and insert "draftsman, \$1,500; draftsman, \$1,350," so as to read:

Eight rodmen, at \$780 each; 12 chainmen, \$650 each; draftsman, \$1,500; draftsman, \$1,350.

The amendment was agreed to.

The next amendment was, on page 12, line 23, to increase the appropriation for salary of chief clerk in engineer's office, record division, from \$1,900 to \$2,000.

The amendment was agreed to.

The next amendment was, on page 14, line 4, to increase the appropriation for salary of assistant inspector of gas and meters from \$840 to \$900.

The amendment was agreed to.

The next amendment was, on page 14, line 5, to increase the appropriation for salary of messenger in engineer's office, record division, from \$540 to \$600.

The amendment was agreed to.

The next amendment was, in the items for engineer's office, record division, on page 14, line 11, after the word "dollars," to insert:

municipal architect, whose duty it shall be to supervise the preparation of plans for and the construction of all municipal buildings, and the repair and improvement of all buildings belonging to the District of Columbia under the direction of the Engineer Commissioner of the District of Columbia, \$3,600; and all laws or parts of laws placing such duties upon the inspector of buildings of the District of Columbia are hereby repealed.

Mr. GARY. This municipal architect seems to be a new office that is created. I should be glad if the Senator in charge of the bill would give us some explanation of it.

Mr. GALLINGER. It is a new office. The work heretofore has been a divided work, the inspector of buildings having charge of it, and outside architects, at the usual fee of 2½ per cent, frequently being employed to make the plans.

It will be remembered that a great deal of complaint has been made about the buildings in the District not being properly inspected. The inspector of buildings has so many duties placed upon him that some neglect in that direction has doubtless resulted.

The other House, after a hearing upon the matter, inserted this paragraph and it went out on a point of order. The Senate committee had a full hearing on it and were fully satisfied upon the representations made that it would be in the line of economy

as well as of good administration to have an architect for municipal buildings.

It will be remembered that we have a great many buildings in the District of Columbia belonging to the District. We have a great many school buildings and we are building new ones constantly. We have fire stations, police stations, and buildings of other kinds. Beyond a doubt, an architect will have his hands full if he performs this service, and it will relieve the inspector of buildings from that duty, so that he can give more time to a proper inspection of the buildings that are being constructed in the District, and not have two of them tumble down, as they recently did, one of them occasioning loss of life. The committee were fully satisfied that this was a proper thing to do, and that it would result in economy rather than in a waste of the public money.

Mr. BURKETT. Has the inspector of buildings done this work in the past?

Mr. GALLINGER. It has been in his care. He has been charged with that duty. Of course he had to go outside and employ architects to a greater or less extent.

Mr. BACON. He himself is not an architect?

Mr. GALLINGER. He is not an architect.

Mr. BACON. Heretofore, I understand the Senator to say, the expense has had to be incurred of employing outside architects, at the rate of 2½ per cent on the valuation for the plans.

Mr. GALLINGER. Yes; that was brought out in the House hearing more particularly.

Mr. BACON. I understand, then, from what the Senator says, that hereafter this work will be done solely by the municipal architect.

Mr. GALLINGER. Yes.

Mr. BACON. And the expense of outside architects will not be incurred?

Mr. GALLINGER. It will be entirely saved.

Mr. BACON. I think myself that that will be in the line of economy.

I simply desire to ask the Senator one question in regard to the inspector of buildings of the District of Columbia. He is retained?

Mr. GALLINGER. He is retained.

Mr. BACON. At the same salary or an increased salary?

Mr. GALLINGER. At the same salary.

Mr. BACON. I have, of course, every confidence in the investigation made by the committee, but let me ask if there is enough work still left for him to occupy his time?

Mr. GALLINGER. Oh, yes; he is a very hard-worked man.

The amendment was agreed to.

The next amendment was, on page 14, line 20, to increase the total appropriation for maintenance of engineer's office, record division, from \$196,462 to \$201,982.

The amendment was agreed to.

Mr. BACON. I will take advantage of this opportunity to ask the Senator a question, as it follows a section in which there is a large enumeration of salaries. We are unable to ascertain, of course, from an inspection of the bill to what degree the House has raised existing salaries. I see only here and there that the Senate committee has proposed to amend the House schedule of salaries. I desire to ask the Senator in charge of the bill whether it is true that in the bill as it comes from the House there is a general increase of salaries over those now fixed by law?

Mr. GALLINGER. I have an impression that there is not a single increase in the bill as it came from the House over what was allowed last year, but that the House kept it down to the rates of the former bill.

Mr. BACON. The amendments proposed by the committee, then, I will not say entirely, but practically all of the increases that there are in the way of a raise?

Mr. GALLINGER. They are; and I will say—

Mr. BACON. And in each instance there has been, then, a recognition of the propriety of a general raise?

Mr. GALLINGER. Not at all. Wherever an increase was allowed it was done upon the representation that the man had been in service for a good many years; that he was very faithful; that he had unusual responsibilities placed upon him; and that a small increase might properly be made.

Mr. BACON. I wish to say, Mr. President, that my inquiry was not suggested by any indisposition on my part to make any proper increase in salaries. On the contrary, as Senators may remember, I myself at the last session favored an increase in the salaries of clerks in the departments. I did not know but that if there had been a general increase in the bill as it came from the House it might manifest a desire on the part of the Committee on Appropriations to make a general increase for department clerks.

I confess that I have myself felt somewhat dissatisfied by the fact that we have generally raised salaries all along the whole line of high officials and that we have utterly neglected, and not only neglected but refused, to give increased salaries to the class of government employees who are probably more in need of it than some of us who have had an increase.

Mr. GALLINGER. Mr. President, I sympathize profoundly with the Senator in what he has just stated, and if a schedule of increased salaries for the government clerks is worked out, I shall vote for it very gladly.

I will say to the Senator that all through the bill there are salaries that are utterly inadequate, as \$720 a year for a young man performing clerical service or as a telephone operator. The salaries ought to be increased, but the committee did not feel, in view of circumstances I do not care to discuss, like taking up the entire matter and making an advance all along the line.

Mr. BACON. I fully appreciate, of course, that any movement of that kind ought to be of a general character and ought to be one which should not be limited to the District. If it is undertaken it ought to be general. The Senator is an honored and very valuable member of the Committee on Appropriations, and he is in a position where, I think, he can more efficiently inaugurate that movement than those of us who are not in so advantageous a position.

I repeat, Mr. President, with the utmost sincerity, I do not think it to the credit of the lawmaking department of the Government that we have not only increased our own salaries, but increased the salaries of almost all high officials, and that we have utterly neglected and refused to give a needed increase to those who are not in a position to insist upon their demands, but who are in a position where, if they attempt to do anything which may further their interests, they are in danger not only of rebuke but of absolute loss of that which they now have.

I am not content with the situation, Mr. President, and I do not think it is to the credit of the lawmaking department of the Government.

The VICE-PRESIDENT. The Secretary will resume the reading of the bill.

The Secretary resumed the reading of the bill.

The next amendment was, on page 14, line 23, after the word "dollars," to insert "2 clerks, at \$1,500 each;" in line 24, before the word "clerks," to strike out "seven" and insert "five;" and on page 15, line 2, before the word "hundred," to strike out "twelve thousand nine" and insert "thirteen thousand five," so as to make the clause read:

Special assessment office: For special assessment clerk, \$2,000; 2 clerks, at \$1,500 each; 5 clerks, at \$1,200 each; 2 clerks, at \$900 each; and 1 clerk, \$750; in all, \$13,500.

The amendment was agreed to.

The next amendment was, at the top of page 16, to insert:

Automobile board: For acting secretary of the automobile board, \$300.

Mr. BACON. I possibly ought not to make prominent my ignorance, but I want the Senator in charge of the bill to tell us what the automobile board is.

Mr. GALLINGER. It is a board that issues permits; and I will say to the Senator that the income is quite large—several thousand dollars.

Mr. BACON. The name of the board did not indicate the character of its duties. I recognize, of course, that there must be such a board. I was in hopes that it might be a board which had a little more extensive duties, and that it might be a board which would see somewhat to the enforcement of the law in this city in the movement of automobiles.

Mr. TILLMAN. I should judge that that would be a police regulation.

Mr. BACON. I did not know but we had an automobile board that had charge of the enforcement of the law and, of course, supervision of the duties of policemen in that regard. The law is undoubtedly most grossly violated in this city every hour of the day, and, I might say, almost every minute, and particularly in the night.

The VICE-PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by the Secretary.

The SECRETARY. A bill (S. 6484) to establish postal savings banks for depositing savings at interest, with the security of the Government for repayment thereof, and for other purposes.

Mr. CARTER. I ask unanimous consent that the unfinished business be temporarily laid aside.

The VICE-PRESIDENT. The Senator from Montana asks unanimous consent that the unfinished business be temporarily laid aside. Without objection, it is so ordered.

Mr. BACON. I am not going to take up any time in discussing the matter. The Senator knows what my view is on the

subject. I do think that people who have the right, or liberty rather, of the use of the streets in a degree which, even when they comply with the law, endangers the safety of the public ought not to abuse that liberty, but ought to confine themselves to a proper and necessary observance of the law.

Mr. TILLMAN. Mr. President, I agree entirely with what the Senator from Georgia has said, because every time I take a walk, and I do a good deal of it, I am dodging these things. If the Senator from New Hampshire will aid us by some provision in some way or some interview with the persons in authority to see that the laws in regard to the speed of automobiles are observed, I am sure he will earn the gratitude of nearly all the people in this city.

I am not like the Senator from Texas [Mr. BAILEY], anxious to see the automobile out of use, because I think it is one of those advances along with railroads, the telegraph, and other modern inventions that we are compelled to recognize as having their place and being very useful, but I do not think these automobiles ought to run over people or frighten them, and all that kind of thing; and if we have a regulation here in regard to speed the police ought to be compelled to observe it and arrest somebody.

Mr. BAILEY. Mr. President—

Mr. TILLMAN. I did not know the Senator had come in or I would not have said a word.

Mr. BAILEY. I want to say to the Senator from South Carolina that I am very much less concerned about whether they run over people than I am about the other aspect of the matter. I am very frank to say that I do not believe there is any true progress in a course of commercial or political conduct that substitutes a product of the factory for a product of the farm; and I believe, in the larger sense, that this country will be infinitely worse off when it withdraws its population from the farm, because they can not prosper there, and concentrates them in the great cities. That course of events has already progressed so far until the cities are overcrowded and the farms are not sufficiently cultivated. When we aggravate that condition still further by taking our rural population and concentrating them in the cities, then all the vices of idleness and extravagance and all the crimes of murder, theft, and arson will multiply themselves many times over.

And at the risk of standing in the way of progress, I protest against the Government still further accelerating this tendency by rejecting what the farms produce and substituting what is manufactured in the cities.

I want to say, besides, Mr. President, if I sought any political advantage, I would not want a very much better issue in a congressional election in the rural districts of America than this naked proposition of the product of the farm against the product of the factory.

It was stated in the House of Representatives the other day that the secretary to the President has announced that if the appropriation of \$12,000 for automobile expenditure remains in the bill as the House has restored it, it is the intention of the President to discard horses and substitute the automobile.

We do a great many things in this world according to the fashion, and people in high places sometimes set the fashion. When the President turns his horses out to die, then everybody who wants to imitate the President does the same thing, and the example extends itself down, not only to everybody who can buy an automobile, but to a good many people who can not afford to buy one. Thus you are depriving the farmers of a valuable customer for one of the necessary products of the farm. I say "necessary," because it is necessary if the farmer is to have a profit.

If we are, in high places, to set the example of discarding the horse and substituting the machine, the people who have raised him and who must thrive, if they thrive at all, by providing the hay and corn and oats to feed him, which the city folks have heretofore been buying from the farmer, and the farmers of the American Republic know it, I am willing to go to them on that question in the next congressional election. If it is true that the farmers are content to stand by and see their Representatives constantly and systematically displacing the product of the farm for the product of the factory, then they ought to walk.

Mr. TILLMAN. Mr. President, I had no desire or purpose to enter into a discussion with the Senator from Texas. In fact, I did not know the Senator had come in. He did not approach me in any furtive way, but I am blind on one side, and it seemed like exploding a bomb under me when he started into the debate in that way.

While I always differ with reluctance from my friend, and especially shun a contest in logic with him, I think his position is entirely untenable. For instance, in the product of the farm,

take the horse as a concrete example, which he is advocating and so earnestly pressing. If it is bad to have automobiles substituted for carriages, then it is fearful to have railroads substituted for wagons, because if we did not have any railroads to transport our products we would have to have millions of horses to carry them, and some of them never could reach the market at all.

I do not hesitate to assert that if it were not for the railroads the West, which is blossoming like a rose, would not have reached out and reached out until we have even crossed the desert after having gotten to its borders. But for the railroads transporting the products of those very farms those States would be prairie to-day and be inhabited by buffaloes, or their products would have rotted on the farms and the price would have been probably a third or a half less than what the western farmers now obtain.

Coming to the other proposition, it does not follow at all that the use of the automobile in the way it is used now is going to concentrate our population in the cities, for the simple reason that I happen to have had the necessity as well as the pleasure of visiting London during the last year.

Mr. BAILEY. Whenever a man goes abroad—

Mr. TILLMAN. Wait a minute. I went there in search of health and I thank God I have a reasonable share of it.

Mr. BAILEY. Mr. President—

Mr. TILLMAN. Wait until I get through.

Mr. BAILEY. Let me make a comment right there.

The VICE-PRESIDENT. Does the Senator from South Carolina yield to the Senator from Texas?

Mr. TILLMAN. Surely; I yield always.

Mr. BAILEY. I rejoice that the Senator found health, but I am sorry he brought back with him some of the foreign notions.

Mr. TILLMAN. Wait a minute. I did not bring back foreign notions, because I was calling attention, if the Senator had permitted me—he went off half-cocked—to the fact that while I was in London, where the greatest aggregation of human beings ever was assembled in a given area—having been told by those who know that there are 7,500,000 within 5 miles of Trafalgar Square—I did not see half a dozen automobiles, and there is no population with a greater concentration of a vicious and poor element of men anywhere else on the globe.

Therefore, it does not follow at all that automobiles are necessary to make people poor or to concentrate them in cities. The Senator's position is entirely untenable and illogical, and he will have to confess it before he gets through.

Mr. BAILEY. The Senator from South Carolina ought to have extended his knowledge a little more than his personal observation. Within the last twenty days I have read an extract from one of the principal publications in Great Britain, in which it is asserted that the progress of the various motive power has been such that if Great Britain were to become involved in a war to-day she would be unable to mount her cavalry; that the breeding and raising of horses has been discontinued to such an extent in the Kingdom of Great Britain that she could not mount her cavalry if a foreign army were to attempt to invade her shores. That is not what I say; it is not what some American agricultural paper says; but that is the assertion of a great publication in Great Britain.

Now, Mr. President, I want to say to the Senator that there is no argument more fallacious than that based on an analogy, when the analogy is either carried too far or stops too short; and as to the assertion of the Senator that because I protest against displacing the horse from work which he can do, and do just as well as these machines, therefore the same logic would have compelled me to have resisted the construction of railroads; with all deference to the Senator, when he talks about lack of logic he lacks it woefully right at that point.

In the first place, the horse could not have carried the great commerce which we now produce on our farms and in our factories; and the extension and development of the railroads have helped, as he well says, to make a market for the very things which the horse produces and which the farmers produce with the aid and by the labor of the horse.

But this is not a proposition to extend markets for farm products. Of course I know there is a kind of argument which tells us, and which asks us with some show of reason to accept it, that as you withdraw people from the farms and crowd them into the cities you have less competition in the production of farm products and a greater consumption of them. In other words, they tell us that if you take people from the farms and crowd them into cities you reduce the production in the country and increase the consumption of the farm products. There is some force in that; but we come to the other fatal objection—that as you take people from the country where the air is free and pure and where they breathe a kind of spirit of patriotism

and crowd them into the narrow tenements and dark places of a city, you convert a good citizen too often into a riotous one.

Mr. TILLMAN. Nobody disputes that.

Mr. BAILEY. Then, if nobody disputes that, everybody must admit that just in the same proportion as you substitute the product of the factory for the product of the farm you are taking from the rural population of this country and concentrating in the cities. No curse, in my opinion, could match that one. In the cities, when men are without bread and when men are not comfortably housed, when women and children live with the light and air of God shut out of their apartments, I do not wonder that they have a sentiment in their soul that would welcome any change, even the subversion of social order and governmental regulation, as an improvement in their condition.

It is in the city where we breed the anarchy, where we breed the socialism, where we breed all the vices that threaten the stability of this Republic. If I had my way, I would take the elements that are now crowded in the cities and I would send them to our smaller farms, and the problem which confronts us would be infinitely less serious than it is to-day. I do not plead for this merely because of the profit of the farmer. I plead for it as a condition which makes farm life attractive as well as profitable.

Mr. President, I have had some experience in this regard; I was raised in an agricultural country; all my life I have lived among an agricultural people; and I can tell what kind of folks I am going to find in a house, if they will let me first go through the barnyard. If I go through there and find the cattle well tended and find the horses and the mules sleek and well kept and I see them comfortably housed and I see the vehicles are such as men of spirit and women of refinement love to use, I know that when I go into the house, though I may not find the walls covered with paintings, though I may not find the house decorated with fine furniture, I will find the kind of men and women and children there that make a republic great and permanent. On the other hand, if I go there and find the cow's horn off, the horse's hip down, and the buggy looks as though it were ready to fall the first time anybody gets into it, I know I shall find the same kind of people when I get into the house. The test of a farmer's prosperity, I will say to the Senator from South Carolina [Mr. TILLMAN], is always the live stock with which the farmer surrounds himself. I may not be able to maintain that when the horse disappears from the farmer's economy.

Mr. TILLMAN. Does the Senator from Texas reckon that we shall ever get to plowing with automobiles?

Mr. BAILEY. No; I think not; and yet the Senator from South Carolina is not unmindful of the fact that they are using steam plows on all the great farms.

Mr. TILLMAN. And they could not raise those immense crops of wheat and oats and various other things if they did not have other than horsepower to break up those vast areas that they are putting in wheat and oats in the Dakotas, eastern Oregon, and Washington.

Mr. BAILEY. If we could take some of the uncomfortable and dissatisfied people from the cities and send them out there, we would not need steam plows to cultivate the land, and the country would be better off.

Mr. TILLMAN. That may be; but somehow or other the fellow prefers to stay in the city; because, probably, he can get more wages than the farmer is able to pay him. I remember I found in the West a couple of years ago that there was a great clamor for labor, but the trouble was that, though they could get a dollar and a half a day, the denizens in the cities—the dwellers in dark streets and attics and all that kind of thing—would not go there. I do not know why.

Mr. BAILEY. It may be true that they do not like to work, and it may be true that a man would rather work around a furnace where the heat was artificial than he would to work in the field where the heat is made in God's own way. I can not quite comprehend how a man likes the artificial heat better than the sun's heat; but the Senator from South Carolina must remember that the reason people of the city will not go to the farm is because \$1.50 a day is not a permanent wage. If it were, they would go; but that is only now and then. They realize that a man can not afford to travel from New York to the Dakotas for the purpose of getting \$1.50 a day for sixty or ninety days.

I want to say to the Senator from South Carolina, furthermore, that one of the reasons people like to stay in the cities, instead of on the farm, is the very course of legislation we are now pursuing—always preferring the prosperity of the city above the prosperity of the agricultural communities; always

legislating so as to draw the men from the country which God made into the town which men have made. That is not the course of legislation which wise men ought to pursue; and, if persisted in, it will bring results too awful to contemplate.

In my time I have seen the farmers of this country prosperous, and then I have seen their prosperity sink to a low ebb; and I have seen every time that the farmer prospers that the balance of the country prospers; and then, when I have seen him descend into that valley over which falls the dark shadow of bankruptcy and poverty, I have seen others from the city walking by his side. There can be no real, substantial, or permanent prosperity in this Republic unless it is based upon the earth, for it is true in political economy, as in the physical world, that it all at last rests upon the earth. The men who till that earth, the men who tickle it with a hoe and make it laugh a field's rich harvest, are the men who perpetuate free institutions in this and all other countries.

If it be to stand in the way of progress when I stand up for men like that, I cheerfully bear the opprobrium of being opposed to progress, science, and invention, for, Mr. President, while I believe in progress, I believe infinitely more in safety. That is my philosophy.

Mr. TILLMAN. Mr. President, there is so much eloquence and truth in what the Senator from Texas contends for that I hardly know what portion of his argument to pick out for answer. I am not in a contentious mood anyway; I am a peaceably minded man, if people will let me alone [laughter], and, as I said, I had no idea or purpose in the world of arousing my leonine friend on my left. I want, however, to call his attention to a thought which struck me as he went along. I agree to almost all he says as to country life, because I am still a farmer, while he has left the farm and gone to practicing law.

Mr. BAILEY. The Senator from South Carolina is mistaken. I do both.

Mr. TILLMAN. I am not able to do both, because I was never admitted to the bar, and would not be competent to practice law if I had been; but I am a pure, simple farmer, and nothing else as a matter of business. The Senator from Texas perhaps, being a capitalist or having more money than I have, has invested in land that which he has made as legal fees.

But I want to call his attention to the danger of quoting an isolated fact as a basis for an argument, such as he has been giving us. Speaking of England not being able to mount her cavalry because there are so few horses being raised in England in competition with the machines, automobiles, and other things of that character that have taken the place of horses, I want to say to the Senator that if England depended on her own products, if Britain—taking England, Scotland, Ireland, and Wales—were to depend on the horses produced there they would be in the same fix that they are in regard to food. If you were to shut off the supply of imports from England—all its bread and its meat—for ninety days, you would put the whole island on the verge of starvation. That is the reason why England is compelled to maintain the great fleet that she does to protect her commerce and bring to her doors the food which is necessary to preserve the lives of her people. She has those vast colonies of Australia, Canada, New Zealand, and colonies in Africa and in every part of the world from which to draw her cavalry horses, or she can come over here and buy them, as she did in the Boer war.

It is not worth while for us to run off on the contemplation of the beautiful picture the Senator from Texas has drawn of farm life and the necessity for and the value of maintaining a sturdy yeomanry, which everybody recognizes as the very essence of good citizenship and the basis for all the armies of the world that ever have done any fighting worth doing. The denizens of the cities have never been noted for their soldierly qualities. The Romans went to the country to get their soldiers, just as England has had to go to the country to get hers, and we shall have to go to the country in case we have a death grapple with any other nation.

But, as I said in the beginning, I did not intend to arouse my friend here. While I have been very much edified by his eloquent words, setting forth the beauties of farm life and pleading for the maintenance of the farmer's opportunity and right to live and to get some of the good things of this world, I think the Senator is still mistaken in his dread of the effect of automobiles on rural life. He just "boos" and "shoos" at the automobile, without taking into consideration that it is a part of the progress of the world and serves its good uses the same as railroads and other things do, and that the horse is not going out of business because we have got automobiles; but I do want the automobiles in Washington to go out of the business of scaring me. [Laughter.]

Mr. BAILEY. I was going to ask the Senator the question—and I will not prolong the colloquy—if it necessarily follows that every invention is an improvement? We have invented a kind of pistol now that all you have got to do is to try to shoot once and you can shoot five or six times.

Mr. TILLMAN. You have just got to pull the trigger until the gun is empty.

Mr. BAILEY. No; you do not have to pull the trigger but once. It is a kind of automatic arrangement. I do not believe that is any progress. I believe it ought to be made a crime for a man to have one of those pistols in his possession, provided, of course, that the State in which he happened to possess it made it a crime. It is not civilized warfare; it is almost like shooting a man with a poisoned bullet, and I think the possession of that kind of an invention ought to be *prima facie* evidence that a man intends to commit a crime, because, if he uses it on one of his fellow-citizens, he does not give him a decent chance for his life. I could name more than one invention that I do not think marks any degree of progress in the world's history.

The automobile is one of that kind. The Senator from South Carolina himself says that it runs over people.

Mr. TILLMAN. That is because the policemen will not stop them and make them run at a reasonable rate of speed.

Mr. BAILEY. Mr. President, I doubt if the police can always stop them in time. The policemen seem to do their duty. I am told—I do not know whether it is true or not—that when a man rides in one of these automobiles he gets what is called the "speed craze," and does not want to go at all unless he goes very fast.

Mr. TILLMAN. If he breaks his own neck I do not care, but I do not want him to run over me and break my leg. [Laughter.]

Mr. BAILEY. I do not want him to break his own neck. If a man transgresses the law and is hurt in the transgression, he is still not beyond the pale of my sympathy. I do not want anybody hurt. Of course, I had rather the occupant of a machine be hurt than some innocent user of the public highway; but if men will persist in having automobiles, I suppose we shall reach the time which, I am told, the French people have already reached. I am told that if a man gets run over in France by one of these automobiles, they punish him instead of the man who runs over him, upon the theory, I suppose, that the machine has the right of way, and the pedestrian must get out of the way or be killed. The Senator from South Carolina has been abroad, and I have not, and I should like to know if that is the law in France.

Mr. TILLMAN. I did not make any examination into automobiles, for I never have had any use for the things here or anywhere else, because I am scared of them. [Laughter.] But I will say for the Senator's benefit that neither he, nor I, nor anybody else will ever be able to stop the use of automobiles, because they mark a distinct advance in motive power, such as the locomotive invented by Stephenson. A machine which, by the use of water and fire, could run itself was regarded as one of the great inventions of the age, and to-day it is just as inevitable that that same instrumentality or mechanism should be run upon any ordinary road, if it is well graded and properly ballasted, as that 2 and 2 make 4. I am surprised the Senator does not confine his appeals for the horse to a legitimate channel, and not go away off yonder straying into the realms of—I will not say what. [Laughter.]

Mr. BAILEY. Language fails the Senator at that point.

Mr. TILLMAN. "Illegitimate logic," I will say, if the Senator wants me to fill it out. [Laughter.]

Mr. BAILEY. I am not trying to prevent people from using automobiles. I am not one of the men that invoke the law to keep people from doing what they have a right to do.

Mr. TILLMAN. If the Senator will permit me—

THE VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from South Carolina?

Mr. BAILEY. I do.

Mr. TILLMAN. The Senator was speaking about how to stop them. I will tell him how we stopped them in Anderson County, in my State, when they came "puff, puff, puff" down there.

Mr. BAILEY. They shot one, I guess.

Mr. TILLMAN. Yes; they did. When these machines got to scaring the horses of the farmers and their wives and daughters out on the roadways, it got so that every man who started off put his trusty old shotgun in his buggy, and when one of these things came along he just simply reached down and held the fellow up. They then got very polite and obeyed the law very quickly. [Laughter.]

Mr. BAILEY. I hardly think the Senator from South Carolina would recommend that example.

Mr. TILLMAN. I would not have anybody shot here for disobeying the law; but if you will capture these men, as they can be captured, and make them pay heavy fines for disobeying the

law and the police regulations, you will stop them running through the streets of Washington at 30 miles an hour.

Mr. BAILEY. I believe the laws ought to be obeyed—

Mr. TILLMAN. They ought to be enforced, if they are not obeyed.

Mr. BAILEY. I was just going to observe, if the Senator had not interrupted me in the middle of a sentence, that all laws ought to be obeyed and that all laws are obeyed by good citizens, and when a man is not willing to obey them, the police ought to enforce them against him. I cordially unite with the Senator in thinking that the police ought to arrest and that the magistrates ought to punish men who disregard the law that limits the speed of automobiles.

Mr. TILLMAN. The automobile board, the one which brought about this discussion, ought to revoke the license of anyone who is guilty of transgressing the rules.

Mr. BAILEY. Any kind of punishment that is sufficient to insure obedience to the law would satisfy me, and I think probably a revocation of the license would be a very effective means of punishment. But I pause here to say to the Senator from South Carolina that the shotgun policy as a means of vindicating each man's right to the public highway is not one to be recommended. I should much prefer the orderly and peaceable way.

But, to go back a moment, I want to say to the Senator that if he understands me as advocating a law to prevent people from using automobiles I have been very unfortunate in my use of words. I would not prevent any man from using any invention, whether a machine or whatever genius might contrive, so long as he could use it without endangering the lives or the limbs of other people, provided always that he did not endanger their health or their happiness. I expressed on a former occasion my belief that the use of the public highway by automobiles is dangerous. I do not believe that anyone in this world has the right to use the public highways in such a manner as to endanger the safety of other people who also have the right to use it. In stating that I not only stated what I consider to be a sound principle of legislation, but I consider that I state what is the universal rule of law.

I hear it sometimes stated that if the horse is afraid of what genius has created the horse ought to give up the highway, but I am rather inclined to think that the horse has the oldest right to the highway. He has what the lawyers call an "ancient and prescriptive right;" and if it is impossible for him to enjoy this right without this modern machine also enjoying the same right, the horse having the older right, his right must prevail.

But that is apart. What I am protesting against now is that the Government shall itself set this example and invite everybody to follow it. In a great city like New York, where distances are from 15 to 20 miles from one part of it to another, I can readily understand the necessity of having some means of locomotion quicker than the horse furnishes. I can understand even how elevated railroads and the underground subway would still not provide for everybody and at every place; I can readily understand how, under a condition like that, men would want a different means of locomotion, and they would have the right to purchase it and to use it. But distances are not so great in Washington that men can not go from one place to another with very comfortable dispatch by using a horse.

Most of the Senators walk. I think it would be better for us all if we walked more and rode a little less. I think it would be conducive to our health. But that is aside from what I am now contending. If a Senator wants to ride, let him go and buy his own machine and ride in it; but the Government of the United States ought not by its example to teach the people of this country to discard the horse and to adopt the machine where the horse can serve the purpose, because, when it does so, it encourages, I repeat, the rejection of a product of the farm and the substitution of the product of a factory. It is against that that I protest—against the Government encouraging men to do it.

Mr. GALLINGER. Mr. President, a single observation of a practical nature. I want to say to Senators that we have a very good automobile law in this District. I think the penalties for its violation are pretty severe, and if it is not observed it is not the fault of the Congress, but, of course, the fault of the officers who ought to enforce the law. I think this discussion will have a very good effect, and that the officers will take notice of the fact that there are some men in Washington who complain that the law is being habitually violated. Now, I hope that the reading of the bill will proceed.

The Secretary resumed the reading of the bill on page 16, line 3, and read as follows:

Department of insurance: For superintendent of insurance, \$3,500; examiner, \$1,500; statistician, \$1,500; clerk, \$1,000; stenographer, \$720; temporary clerk hire, \$1,200; in all, \$9,420.

Mr. OVERMAN. I inquire of the Senator from New Hampshire what is meant by the provision just read? Do they have an insurance company under the District government?

Mr. GALLINGER. We have a department of insurance in the District of Columbia that is bringing into the treasury of the District, I think, some \$75,000 a year or more. They have supervision over the fire and life insurance companies that are doing business in the District, and see that they pay proper fees for the privilege.

Mr. OVERMAN. Yes.

Mr. GALLINGER. Mr. President, in connection with the discussion on automobiles, I desire to have it printed in the RECORD, so that Senators may see it for themselves, the law of the District of Columbia in that respect.

Mr. BACON. Will the Senator, without stopping to read it all, give us in substance the regulation as to speed?

Mr. GALLINGER. The law provides that within the fire limits of the District of Columbia they must not make a greater speed than 12 miles an hour between intersecting streets and avenues; nor at a greater rate of speed than 15 miles an hour through any of the parks within said District; nor across streets at a greater speed than 8 miles an hour; nor at a greater rate of speed than 6 miles an hour around the corners of any street or avenue; nor at a greater rate of speed than 4 miles an hour on the east side of Fifteenth street NW. between the south building line of G street and the south curb line of New York avenue; nor on the west side of Fifteenth street NW. between the line which would be the south building line of G street if extended to the west side of Fifteenth street, and from said extended line north to the north curb line of Pennsylvania avenue, and so forth.

Mr. BACON. Mr. President, I want to say, without the slightest hesitation, that that law is violated every minute and every second of the day, and grossly and undisguisedly violated.

Mr. GALLINGER. As to penalties, I think the law is pretty severe. I will say that the author of this law is Mr. SIMS, of the House of Representatives, who is not a lover of automobiles, I believe. We discussed the propriety of revoking the license after two or three offenses, but it was argued that if we revoked a license, the automobile could be turned over to another man, who would get a license and go along running the same machine, so we put into this law penalties as follows:

And the driver or operator and the owner or proprietor riding thereon or therein violating any of the provisions hereof shall, upon conviction for the first offense, be fined not less than \$5 nor more than \$50, and shall, upon conviction for the second offense within one year from the commission of the first offense, be fined not less than \$10 nor more than \$100, or imprisoned for not less than five days nor more than thirty days, at the discretion of the court; and shall, upon conviction for the third offense within one year from the commission of the first offense, and for any and all subsequent offenses, be fined not less than \$50 nor more than \$250, and be imprisoned in the workhouse for not less than thirty days nor more than six months.

Mr. BACON. I want to say that my observation—and I have observed the matter a good deal, because it irritates me—is that most of the gross violations of this law do not occur when the owners of the machines are in them, but they occur when the chauffeurs are running the machines about without the owners of them. Then they seem to be absolutely reckless and regardless of the law or any consideration for the safety of human beings. It is frequently the case in the part of the city in which I live that these machines are run at a speed of at least 30 miles an hour across streets, around corners, and in every other way.

Mr. GALLINGER. I ask that the law in reference to automobiles in the District of Columbia may be printed in the RECORD.

The VICE-PRESIDENT. In the absence of objection, permission is granted.

The law referred to is as follows:

[Public—No. 361.]

An act regulating the speed of automobiles in the District of Columbia, and for other purposes.

Be it enacted, etc., That no person shall drive or propel, or cause to be driven or propelled, any automobile, horseless or motor vehicle, bicycle, or horse-drawn vehicle within the fire limits of the District of Columbia, as said fire limits are now defined or may hereafter be defined from time to time in and by the building regulations of said District, upon any street, avenue, alley, or public highway at a greater rate of speed than 12 miles an hour between intersecting streets and avenues; nor at a greater rate of speed than 15 miles an hour through any of the parks within said District; nor across streets at a greater speed than 8 miles an hour; nor at a greater rate of speed than 6 miles an hour around the corners of any street or avenue; nor at a greater rate of speed than 4 miles an hour on the east side of Fifteenth street NW. between the south building line of G street and the south curb line of New York avenue; nor on the west side of Fifteenth street NW. between the line which would be the south building line of G street if extended to the west side of Fifteenth street and from said extended line north to the north curb line of Pennsylvania avenue; nor at the intersection of Ninth and F streets NW. between the building lines of the said streets; nor at the intersection of Ninth and G streets NW. between

the building lines of said streets; nor at the intersection of Eleventh and F streets NW. between the building lines of the said streets; nor at the intersection of Eleventh and G streets NW. between the building lines of the said streets; nor on any public roadway, street, avenue, or alley within said District outside of said fire limits at a greater rate of speed than 20 miles an hour; and when meeting or passing any other vehicle the speed shall not exceed 12 miles an hour, and any automobile shall be brought to a full stop whenever the driver of a horse-drawn vehicle shall signal by raising the hand, and said vehicles shall at all times be under the control of the driver or operator; and the driver or operator and the owner or proprietor riding thereon or therein violating any of the provisions hereof shall, upon conviction for the first offense, be fined not less than \$5 nor more than \$50, and shall, upon conviction for the second offense within one year from the commission of the first offense, be fined not less than \$10 nor more than \$100, or imprisoned for not less than five days nor more than thirty days, at the discretion of the court; and shall, upon conviction for the third offense within one year from the commission of the first offense, and for any and all subsequent offenses, be fined not less than \$50 nor more than \$250, and be imprisoned in the workhouse for not less than thirty days nor more than six months.

Sec. 2. That prosecutions for violation of the provisions of this act shall be on information filed in the police court of the District of Columbia by the corporation counsel or any of his assistants.

Sec. 3. That this act shall not be held to take away the authority of the Commissioners of the District of Columbia to make police regulations not inconsistent herewith.

Approved June 29, 1906.

The reading of the bill was resumed.

Mr. HALE. Mr. President, I perceive that the bill is going along rapidly, and I have been unable to keep up with its progress. I wish the Senator from New Hampshire in charge of the bill would tell me on what page is the amendment which has been discussed.

Mr. GALLINGER. Page 16.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 17, line 4, before the word "dollars," to strike out "five thousand" and insert "six thousand five hundred," so as to make the clause read:

For services of temporary draftsmen, computers, laborers, additional field party when required, purchase of supplies, care or hire of teams, purchase and maintenance of a motor vehicle, \$6,500; all expenditures hereunder to be made only on the written authority of the Commissioners of the District of Columbia, and may include the purchase of a motor vehicle at a cost not exceeding \$1,500, said vehicle to be driven by a member of the field party using the same.

The amendment was agreed to.

The next amendment was, on page 17, line 12, to increase the total appropriation for maintenance of surveyor's office from \$28,425 to \$29,925.

The amendment was agreed to.

The next amendment was, on page 17, line 18, after the word "dollars," to insert "chief, useful arts department, \$1,200," so as to read:

Free public library: For librarian, \$3,500; assistant librarian, \$1,500; chief, circulating department, \$1,200; children's librarian, \$1,000; librarian's secretary, \$900; reference librarian, \$1,000; chief, useful arts department, \$1,200.

Mr. CULBERSON. I will ask the Senator if that is a new department of the library that has been organized recently?

Mr. GALLINGER. I think it was organized recently. The librarian stated to the committee that it was very largely patronized, and he felt that he ought to have some one to take charge of it.

Mr. CULBERSON. The amendment reads:

Chief, useful arts department, \$1,200.

Apparently a new department having been created in the library.

Mr. GALLINGER. Yes. The librarian, I think, designates the various departments. For instance, the librarian asked for a chief of the order department. We did not allow that. Certain subordinates, I suppose, were doing the best they could to care for the departments not specifically provided for. He also asked for a chief of catalogue department, and so on, but we only allowed this one clerk—he is nothing but a clerk after all—to care for that particular department, which the librarian said was a very important one.

This library is doing a great work, the patronage is increasing by leaps and bounds, and unquestionably the force now there is very inadequate to give proper service. In fact, I am told, and not by the librarian, but by others, that a long row of people oftentimes is there to get waited on, and because of the inadequate force the people have to wait and take their turn, which is sometimes rather provoking to them. The committee felt that they ought to give this library a little additional force, and among other things they allowed this chief for the useful-arts department.

Mr. BEVERIDGE. May I ask the Senator from New Hampshire a question?

Mr. GALLINGER. Certainly.

Mr. BEVERIDGE. What does the department of useful arts do? I am not thinking of objecting to the item. The Senator from Maine [Mr. Hale] suggests to me that I ask what it does not do. Of course, in his answer the Senator might include both.

Mr. GALLINGER. I fear I can not specifically answer the question. I have not recently gone through the testimony; but, as I say, the librarian, who is a very competent man—and he is being advised by the Librarian of Congress, who is now on the board—has, in the exercise of his judgment, made certain departments in the library, and this is one of them; and I have no doubt that if the Senator could investigate the matter a little more carefully than he can do to-day and get more definite information than I can give him he would find that this is a department which ought to be sustained. At any rate there is no one in the library—and I know all about it—from the top to the bottom who is not kept very busy, and unquestionably they need more service than they have at the present time.

I wish that I could answer the Senator more definitely than I can at present, but I confess I do not know what the exact duties of this person may be.

Mr. BEVERIDGE. I think the Senator answered in a way that ought to be satisfactory to all Senators. I agree with the Senator that the Government has not a more useful and accomplished officer than the librarian in charge of this library, and the fact that he recommends it carries very great weight with me. I was merely attracted by the curious wording there—some person in charge of the department of useful arts.

The VICE-PRESIDENT. The question is on agreeing to the amendment reported by the Committee on Appropriations.

The amendment was agreed to.

Mr. GALLINGER subsequently said: While I am anxious to proceed with the bill as rapidly as possible, I wish to read from the House hearings, which I had before me in the committee but which I had forgotten, the statement of the librarian concerning the useful arts department. I recall the fact that he made an oral statement before our committee. He said:

The useful arts department has been in operation for one year. It has been successful from the outset. Its chief users are men who come with the definite problems of engineering or of their trades or their business affairs to solve. It was established partly to relieve the overcrowded condition of the main reference room and partly because the library wished to make itself practically helpful to business men, engineers, and mechanics. It is accomplishing this purpose, but it is doing so with an inadequate force and at the expense of drawing the assistant librarian away from most of his administrative work.

The librarian stated that evenings there are a very large number of business men, engineers, and men of practical affairs in the room, and that they remain until the library closes, and they get very useful knowledge; which statement impressed the committee.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in the item for free public library, page 17, line 19, to strike out "assistant, \$900," and insert "two assistants, at \$900 each;" in line 21, before the word "assistants," to strike out "four" and insert "five;" on page 18, line 5, before the word "attendants," to strike out "five" and insert "six;" and in line 18, before the word "dollars," to strike out "thirty-eight thousand six hundred and eighty" and insert "forty-two thousand and forty," so as to read:

Free public library: For librarian, \$3,500; * * * chief, useful arts department, \$1,200; 2 assistants, at \$900 each; 5 assistants, at \$720 each; * * * 2 assistants, at \$480 each; 6 attendants, at \$540 each; * * * in all, \$42,040.

The amendment was agreed to.

The next amendment was, on page 19, line 4, to increase the appropriation for books for the free public library from \$7,500 to \$10,000.

The amendment was agreed to.

The next amendment was, on page 19, line 7, after the word "building," to insert "purchase and maintenance of transportation vehicles;" and in line 10, before the word "dollars," to strike out "seven thousand five hundred" and insert "eight thousand," so as to make the clause read:

For fuel, lighting, fitting up building, purchase and maintenance of transportation vehicles, including lunch-room equipment, and other contingent expenses, \$8,000.

The amendment was agreed to.

The next amendment was, on page 19, line 11, to increase the total appropriation for miscellaneous items, etc., free public library, from \$18,500 to \$21,500.

The amendment was agreed to.

The next amendment was, on page 20, line 7, before the word "thousand," to strike out "thirty-five" and insert "thirty-eight," so as to read:

For contingent expenses of the government of the District of Columbia, namely, * * * \$38,000.

The amendment was agreed to.

The reading of the bill was continued to the end of line 16, on page 20.

Mr. FLINT. Mr. President, I desire to inquire whether individual amendments are now in order.

The VICE-PRESIDENT. Only committee amendments are now in order.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 21, line 14, to increase the appropriation for postage for strictly official mail matter from \$8,000 to \$9,000.

The amendment was agreed to.

The next amendment was, on page 21, line 19, to increase the appropriation for necessary expenses in the collection of overdue personal taxes from \$3,500 to \$5,000.

The amendment was agreed to.

The next amendment was, on page 22, line 5, to increase the appropriation for livery of horse or horse hire for coroner's office, jurors' fees, witness fees, removal of deceased persons, etc., from \$3,000 to \$3,500.

The amendment was agreed to.

The next amendment was, on page 23, after line 11, to insert:

For making surveys to obtain accurate data with reference to old subdivisions in the District of Columbia, \$2,500.

The amendment was agreed to.

The next amendment was, on page 23, after line 14, to insert:

For the office of the register of wills: For furnishing to the office of the assessor copies of wills, petitions, and all necessary papers wherein title to real estate is involved, \$900.

The amendment was agreed to.

The next amendment was, on page 23, after line 22, to insert:

For extra services necessary to classify, arrange, and rebind the old records of the District of Columbia, including the corporations of Washington, Georgetown, and the levy court, with authority to employ clerks of the auditor's and other offices after office hours, \$1,500.

Mr. BURKETT. Mr. President, it seems to me the whole amendment is bad, but I desire to move to amend it on page 24, line 2, by striking out the words beginning in line 2:

With authority to employ clerks of the auditor's and other offices after office hours.

The VICE-PRESIDENT. The Senator from Nebraska proposes an amendment to the amendment, which will be stated.

The SECRETARY. On page 24, line 2, after the word "court," it is proposed to strike out "with authority to employ clerks of the auditor's and other offices after office hours."

Mr. GALLINGER. Mr. President, I will say just a word before the question is put. That item was placed in the appropriation bill upon the representation that the clerks in the office who are experienced and competent were very much more qualified to do this work than some outside person. I was impressed with the belief that that was doubtless so; and I think the words ought to remain in the bill.

Mr. BURKETT. Mr. President, my opinion is that the extra services will not be very great. It will simply be getting the books that are torn ready for rebinding. Those books ought to be taken down and arranged in office hours. If you put in this authority, the work will be done after office hours. Here is a thing that has occurred very often in my experience. People come in for employment after office hours. It has always been the belief of the committees of Congress that that is a bad practice. In the first place, if the office hours are not long enough, they ought to be lengthened and the salaries made greater in proportion. But more particularly, in my opinion, if the words that I have moved to strike out are left out, this work will be done by the clerks, and it will be done in office hours, and we will save that much, because they are not going to get any outside help. The work will be done in office hours if we strike out the authority to pay them for work after office hours. That is my opinion about it; and I think we would save that much. I think we ought not to encourage clerks, for example, or departments to come in, and on a pretense of some little extra work get authority to do it after office hours and have extra pay for it.

Mr. GALLINGER. Mr. President, it is safe to say that if the words go out, and it is expected that this work will be done by the clerks now in the office, it will not be done at all. They have been asking for this for three or four years, to my knowledge. The work has not been done. The clerks have an abundance of work to do during the regular office hours; and it is a mere question whether we will permit those clerks to do it, or whether an additional clerk shall be appointed under the provision of this paragraph. If the words which the Senator objects to are stricken out, beyond a question a fifteen hundred dollar clerk will be appointed and will go into the office for the purpose of doing that particular service. I hope the amendment will not be agreed to.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Nebraska to the amendment. [Putting the question.] By the sound the "noes" have it.

Mr. BURKETT. A division!

The VICE-PRESIDENT. A division is demanded.

Mr. GALLINGER. Mr. President, it is manifest that that will develop the absence of a quorum, and if the question is to be contested I will call for the yeas and nays.

Mr. BURKETT. I withdraw the request.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Nebraska to the amendment.

The amendment to the amendment was rejected.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 24, after line 4, to insert:

For repair of buildings owned and used by the District of Columbia when injured by fire, \$10,000.

The amendment was agreed to.

The next amendment was, on page 24, after line 6, to insert:

For fireproof steel file cases for the office of register of wills of the District of Columbia, \$1,500.

The amendment was agreed to.

The next amendment was, on page 24, line 10, after the word "wiring," to strike out "system" and insert "and gas systems," so as to make the clause read:

For the installation of a permanent electric-wiring and gas systems for lighting and power in the western District of Columbia Market, \$800.

The amendment was agreed to.

The next amendment was, on page 25, line 5, to increase the appropriation for the elimination of grade crossings from \$150,000 to \$200,000.

The amendment was agreed to.

The next amendment was, on page 25, in line 6, after the word "dollars," to insert the following proviso:

Provided, That the Commissioners of the District of Columbia are hereby authorized to use such portion of the unexpended balances of the appropriations for elimination of grade crossings, District of Columbia, improvement of plaza, as may be necessary for the construction of the three flagstaffs shown upon the approved plans for "Plaza improvement, Union Station," on file in the office of the Engineer Commissioner of the District of Columbia: *And provided further*, That the Washington Terminal Company shall first convey to the United States all that portion of the terminal area, as described in the act of February 28, 1903, providing for a union railroad station in the District of Columbia, lying north of the north line of Massachusetts avenue and south of the line of balustrades of islands "C," "D," "E," and "F," and of the north line of lamp-posts of the central island, as shown on the plans referred to above.

The amendment was agreed to.

The next amendment was, on page 25, line 24, to increase the appropriation for assessment and permit work from \$160,000 to \$200,000.

Mr. OVERMAN. I should like to ask the Senator from New Hampshire what is meant by the term "assessment and permit work." I do not understand it. The amendment increases the appropriation from \$160,000 to \$200,000.

Mr. GALLINGER. It is work on the streets. I will say to the Senator, where permits are issued to make certain improvements, and it is assessed ordinarily against the holders of the property and some part of it returned to the revenues of the District. But it relates wholly to street improvements. The term "permit work" has been used I guess since the time of the organic act in the District, and is well understood at the District building.

Mr. BURKETT. If I understand it aright, the alleys are paved and the sidewalks are builded in a different way from that in which the streets are paved. One-half of the sidewalk is paved by the property owner, but the District pays it, puts up the money, and assesses the half back, as I understand, and that is what this fund is used for. It is the fund they use every year in the paving of sidewalks.

Mr. OVERMAN. Why do they call it "permit work?" Do we pay for work that we permit somebody else to do?

Mr. BURKETT. Where the term "permit" comes in I have never understood, but I have had it explained to me—

Mr. GALLINGER. The Senator from Nebraska has stated it accurately; and I think the term "permit" is used for the reason that they have to get a permit to do the work. That is about all, as I understand.

Mr. OVERMAN. They have to get a permit to do the work, and then the Government pays for it?

Mr. GALLINGER. The Government pays one half of the cost of building a sidewalk and the abutting owner pays the

other half; but the District, I understand, puts up the money in the first place and then assesses it back, and thus recoups itself. That is the way I understand it. I may be wrong. But it is a matter that has gone along for a great many years without any difficulty.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 26, line 6, to increase the appropriation for work on streets and avenues from \$35,500 to \$100,000.

The amendment was agreed to.

The next amendment was, on page 26, line 10, to increase the appropriation for the Georgetown schedule from \$1,000 to \$3,000.

The amendment was agreed to.

The next amendment was, on page 26, line 12, to increase the appropriation for the northwest section schedule from \$7,000 to \$12,000.

The amendment was agreed to.

The next amendment was, on page 26, line 13, to increase the appropriation for the southwest section schedule from \$10,000 to \$15,000.

The amendment was agreed to.

The next amendment was, on page 26, line 15, to increase the appropriation for the southeast section schedule from \$5,000 to \$35,000.

The amendment was agreed to.

The next amendment was, on page 26, line 19, to increase the appropriation for the northeast section schedule from \$12,500 to \$35,000.

Mr. BURKETT. I should like to ask the chairman about this work on streets and avenues. There is so much enumerated for each section of the city. The commissioners usually, I think, submit a list of the streets they propose to improve. Is there anything here which provides, or is there anything to that effect in the law, that they must follow those and improve them down the list as far as the amount that is appropriated will make the improvements, or is there something omitted from this bill? It occurs to me that always heretofore there has been a provision in this bill that this fund should be used as far on the list of streets in that particular division as it would go. It occurs to me that the language here omits something and leaves it discretionary. They may improve the last street on the list as well as the first under this language. Perhaps there is a general law on the subject.

Mr. GALLINGER. The commissioners in their estimates submit a list of streets in each section of the city which the amount appropriated will enable them to improve. Last year the appropriation was \$88,500, as I remember it, and for some unexplained and unexplainable reason the House reduced it to \$35,500 this year. The commissioners estimated this year \$100,000 and apportioned it precisely as it is amended in this bill, and then submitted the list of streets that the amount named in each schedule would improve. So they are compelled to improve all the streets named in the schedule, there being money enough for that purpose.

Mr. BURKETT. There is money enough? That answers the question.

Mr. GALLINGER. There is money enough for that purpose.

The VICE-PRESIDENT. The question is on agreeing to the amendment reported by the Committee on Appropriations.

The amendment was agreed to.

The next amendment was, on page 27, after line 23, to insert: Nineteenth street NW., between Pennsylvania avenue and N street, 30 feet wide; on P street NW., from Wisconsin avenue to Twenty-eighth street, 40 feet wide, and for paving with old granite block Sherman avenue north of Florida avenue with a width of 40 feet, \$45,000.

The amendment was agreed to.

The next amendment was, on page 28, after line 3, to insert: Seventh street NW., from Q to R street, \$7,000.

The amendment was agreed to.

The next amendment was, on page 29, line 6, after the word "dollars," to insert the following proviso:

Provided, That \$2,000 out of said appropriation, or so much thereof as may be necessary, shall be used to fill to its full width of 160 feet that portion of Sixteenth street that lies south of Piney Branch.

So as to make the clause read:

Northwest: Sixteenth street extended, grade and improve, \$10,000; *Provided*, That \$2,000 out of said appropriation, etc.

The amendment was agreed to.

The next amendment was, on page 31, after line 23, to insert: Northeast: Rhode Island avenue extended, grade and improve, provided the land necessary to open this avenue to its full width to the

District line be first dedicated to the District of Columbia without cost, \$15,000.

The amendment was agreed to.

The next amendment was, on page 32, after line 2, to insert: Northwest: Thirteenth street, Euclid street to Park road, grade and improve, 40 feet wide, \$17,000.

The amendment was agreed to.

The next amendment was, on page 32, after line 5, to insert: Northeast: Rhode Island avenue, Lincoln road to Fourth street, grade, \$10,000.

The amendment was agreed to.

The next amendment was, on page 32, after line 7, to insert: Northeast: T street, Lincoln road to Second street, grade and improve, \$6,500.

The amendment was agreed to.

The next amendment was, on page 32, after line 9, to insert: Southeast: Pennsylvania avenue, grade and improve, \$5,000.

The amendment was agreed to.

The next amendment was, on page 32, after line 11, to insert: Southeast: Twenty-third street, Naylor road to Minnesota avenue, and from Q street, Twenty-third to Twenty-fifth street, grade and gravel, \$4,900.

The amendment was agreed to.

The next amendment was, on page 32, after line 15, to insert: Northwest: Fessenden street, River road to Wisconsin avenue, grade and improve, \$7,500.

The amendment was agreed to.

The next amendment was, on page 32, after line 18, to insert: Northwest: Rittenhouse street, from Georgia avenue to Blair road, grade and improve, \$12,500.

The amendment was agreed to.

The next amendment was, on page 32, after line 21, to insert: Northeast: Fourth street, from end of present pavement to Rhode Island avenue, macadamize, \$1,400.

The amendment was agreed to.

The next amendment was, on page 32, after line 24, to insert: Northwest: Thirteenth street extended, between Park road and Monroe street, widen 10 feet on the easterly side, and grade and improve, \$2,500.

The amendment was agreed to.

The next amendment was, on page 33, after line 2, to insert: Northeast: Seaton place, from North Capitol street to Lincoln road, pave 30 feet wide, \$2,600.

The amendment was agreed to.

Mr. CULBERSON. If I mistake not, the amendment proposed, from the top of page 31 to the top of page 33, inclusive, carries an increase over the House appropriation of \$85,000. I suggest that the Senate is entitled to some explanation of this extraordinary increase, in view of the amount appropriated by the House and the condition of the Treasury.

Mr. GALLINGER. I will say to the Senator, Mr. President, that in addition to the appropriation for paving streets, made in the bill as it came to the Senate, the Commissioners of the District had estimated for a very large number of other streets which, in their judgment, needed improvement. The Senate committee examining that list, which had been left out, felt that they could with propriety add something to the House bill, and they added the streets that appear in italics on pages 31, 32, and 33. It is only a part of what had been recommended by the commissioners. Upon the representations which were made to the committee we felt that these streets very greatly needed to be improved; and the persons living on those streets, or near them, have been very insistent upon the committee that they ought to be included in the bill.

It will go to conference if the items are left in the bill. I hope they will all remain in the bill, but I have very little expectation that they will. However, we probably will get a little addition to what the House allowed for this very necessary work.

A great deal will have to be done on the streets of Washington yet to make them as passable as they ought to be in a city of this kind. We thought very carefully in selecting these improvements, and I can assure the Senator from Texas, while it does make quite an addition to the bill, the improvements really ought to be made, and the Senate conferees will do the best they can to keep at least a portion of the items in the bill.

Mr. BACON. I should like to inquire of the Senator whether those particular items were before the House or the House committee, and were rejected by them?

Mr. GALLINGER. Yes; they were.

Mr. BACON. They were considered and rejected by the House?

Mr. GALLINGER. They were not inserted.

Mr. BACON. They were not, then, brought for the first time to the Senate?

Mr. GALLINGER. Oh, not at all.

Mr. BACON. They were originally presented to the House?

Mr. GALLINGER. They are on the schedule that was made up on the estimates of the commissioners.

Mr. BACON. I understood from the former statement of the Senator that they had been estimated for.

Mr. GALLINGER. They had been estimated.

Mr. BACON. I did not know whether they had been presented to the House.

Mr. GALLINGER. They were presented to the House committee, I will say to the Senator.

The next amendment was, on page 33, line 6, to increase the total appropriation for the construction of county roads and suburban streets from \$133,600 to \$218,500.

The amendment was agreed to.

The next amendment was, on page 33, after line 7, to insert:

For grading Massachusetts avenue and N street SE., from the Bowen road to Thirtieth street, including the construction of the necessary culverts: *Provided*, That said thoroughfares, between the limits named, be first dedicated to the District of Columbia, without cost: *And provided further*, That the sum of \$7,000 be deposited with the collector of taxes of the District of Columbia as an addition to the above appropriation, to be expended as a part of the same for the purposes named, including all incidental and contingent expenses, \$7,000.

The amendment was agreed to.

The next amendment was, on page 33, line 23, before the word "thousand," to insert "and fifty," so as to read:

Repairs streets, avenues, and alleys: For current work of repairs of streets, avenues, and alleys, including resurfacing and repairs to concrete pavements with the same or other not inferior material, of which sum \$50,000 shall be immediately available, \$350,000.

The amendment was agreed to.

The next amendment was, on page 34, after line 23, to insert:

For replacing sidewalks and curbs on the east and north sides of the United States Treasury Department building, \$5,600.

The amendment was agreed to.

The next amendment was, at the top of page 35, to insert:

For replacing sidewalks and curbs on the east and north sides of the Government Printing Office, \$3,000.

The amendment was agreed to.

The next amendment was, on page 35, line 5, before the word "thousand," to insert "and twenty-five," so as to make the clause read:

Repairs county roads: For current work of repairs of county roads and suburban streets, \$125,000, of which sum \$20,000 shall be immediately available.

The amendment was agreed to.

The next amendment was, at the top of page 36, to insert:

For removal of the superstructure and substructure of the old Anacostia Bridge, \$10,000: *Provided*, That the unexpended balances of appropriations heretofore made for the construction of the new Anacostia River Bridge and its approaches shall continue available during the fiscal year 1910 for all necessary expenses to complete said bridge and its approaches.

The amendment was agreed to.

The next amendment was, on page 36, after line 7, to insert:

Sixteenth Street Bridge across Piney Branch: For widening bridge across Piney Branch on the line of Sixteenth street, said bridge to be widened to a width over all of 65 feet, \$85,000.

The amendment was agreed to.

The next amendment was, on page 36, after line 11, to insert:

Anacostia flats: For employment of special counsel to investigate and determine the ownership of the land and riparian rights along the Anacostia River, for the purpose of improvement of the Anacostia flats, \$5,000.

Mr. GARY. I should like to ask the Senator in charge of the bill for some information concerning this item. It seems to be a rather unusual item, appropriating \$5,000 for a lawyer to examine titles. I should like to ask if there are not attorneys employed already whose business it is to do just such work.

Mr. GALLINGER. I will read for the information of the Senator what occurred at the hearing before the subcommittee. The chairman said:

There is an item here for employment of special counsel to investigate and determine the ownership and riparian rights along the Anacostia River for the purpose of the improvement of the Anacostia flats, \$5,000.

Commissioner MACFARLAND. That was put in by the House committee and, I think, went out on the floor in some way.

A point of order was doubtless made against it.

Senator GALLINGER. I think we had it in the bill last year. Do you think it desirable?

Commissioner MACFARLAND. I think it desirable in order to get at the question of title.

Senator GALLINGER. The corporation counsel finds it impossible to attend to that?

Commissioner MACFARLAND. It is quite impossible for him to take this burden. The House committee agreed to it. It is just a question of having your concurrence.

This question has been up before, I will say to the Senator from South Carolina, and some time in the future very great improvements will have to be made along the river front at Anacostia. There is a condition there which is not creditable

to this great city, and doubtless a very considerable amount of money will have to be spent when we reach the point where the improvement will be made.

In the meantime there is a controversy as to the title to a very considerable part of the land, and it is extremely desirable that that matter should be settled in some way. The office of the corporation counsel say that they are unable to do it; in other words, that some man with special knowledge as to riparian rights, and all that sort of thing, would be a better man to take up this work than any one of the assistants to the corporation counsel. Beyond a doubt the corporation counsel and his assistants are kept very busy in the ordinary work of the office.

Mr. CULBERSON. Mr. President—

The VICE-PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Texas?

Mr. GALLINGER. Certainly.

Mr. CULBERSON. The Senator from New Hampshire has stated that the corporation counsel has a number of assistants. I will ask him how many?

Mr. GALLINGER. He has four.

Mr. CULBERSON. What is the total salary paid to that office?

Mr. GALLINGER. I should think likely \$8,000 or \$9,000, possibly \$10,000. The assistants are not paid large salaries.

Mr. CULBERSON. What is the salary of the corporation counsel?

Mr. GALLINGER. For a guess I would say \$3,000. That may not be accurate; I think it may be above that amount.

Mr. CULBERSON. He has four assistants?

Mr. GALLINGER. He has four assistants.

Mr. BURKETT. The corporation counsel is paid \$4,500.

Mr. GALLINGER. Forty-five hundred dollars.

Mr. BURKETT. The first assistant receives \$2,500, the second assistant \$1,800, the third assistant \$1,600, and the fourth assistant \$1,500.

Mr. GALLINGER. Then the aggregate of salaries is a little in excess of \$10,000. I was not accurate in stating the salary of the corporation counsel. When I made the statement I thought that likely I had not put it high enough, but I was not well informed on the subject.

Mr. GARY. I move to amend the committee amendment by striking out "\$5,000" and inserting "\$2,500."

The VICE-PRESIDENT. The Senator from South Carolina proposes an amendment to the amendment, which will be read by the Secretary.

The SECRETARY. In line 15, strike out "\$5,000" and insert "\$2,500."

The VICE-PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was rejected.

Mr. CULBERSON. I should like to have a vote on the amendment itself.

Mr. GALLINGER. Let it be stated again.

The VICE-PRESIDENT. The amendment of the committee will be read by the Secretary.

The SECRETARY. On page 36, after line 11, it is proposed to insert:

Anacostia flats: For employment of special counsel to investigate and determine the ownership of the land and riparian rights along the Anacostia River, for the purpose of improvement of the Anacostia flats, \$5,000.

Mr. BURKETT. Mr. President, I wish to suggest to the Senator who moved to amend the amendment and to those who have called for a vote that in my opinion this is a pretty important matter. Senators will remember that a year ago we had a question as to the right to a piece of property that, apparently, we lost over here, not knowing exactly what our rights were. It was a piece of property that had been filled in here on the flats. There is a good deal of this property here which probably belongs to the District filled in with accretions. If the corporation counsel can not look after the title, in my opinion somebody ought to look after it, and he ought to look after it very soon.

I will say, also, that there is another piece of land in the District of Columbia, and in my opinion the District government ought to hire special counsel for a considerable time in investigating title to it and the Government's right in it. In my opinion this amendment, from what I have known of the matter in times past and some information I have had, ought not to go out of the bill. This allowance ought to be made some time, somewhere, and there should be a report on these titles to find out what are the rights of the Government so as to prevent others from getting rights by reason of our negligence.

I will say, with reference to the office of the corporation counsel, that I remember when the number of assistants to the cor-

poration counsel was increased to four. I happened to be upon the subcommittee of the Committee on the District of Columbia handling the bill in the House. The committee of the House, I will say, enlarged the office force of the corporation counsel, and before the House committee did it they investigated the matter very thoroughly to find out what work was being done that he had to do. At that time Mr. Duvall, a very hard-working attorney, in whom we had a good deal of confidence, was the corporation counsel, and an additional force was given at that time, including the clerks who were needed to provide for the work he had to do.

It has occurred to me that since that time the work of the office might have depreciated, in view of the fact that some of the titles with reference to street condemnations have been settled. The corporation counsel, it seems to me, ought not to have quite so much work to do as he had two or three years ago. However, I presume in the growth of the District and the multiplicity of important matters that need legal attention perhaps the work of the office has grown with the growth of the District, and therefore he is as busy as he was when he had that special work upon him. But taking the word of the commissioners that the office of the corporation counsel is fully employed, I submit that this is an important matter and we can hardly afford to have it stricken out.

Mr. GALLINGER. Before the amendment is voted on I wish to offer an amendment to it. After the word "dollars," in line 15, I move to insert a comma instead of the period, and to add "or so much thereof as may be necessary."

Mr. McCUMBER. I should like to have the Senator in charge of the bill explain the necessity of employing a special attorney for this work. I understand we have attorneys connected with the government of the District of Columbia who are paid regular salaries for that purpose. Why can not those attorneys be called upon to do this work, and what basis has the Senator for fixing \$5,000 or any other fee for this particular work?

Mr. GALLINGER. Mr. President, the Senator, I presume, was out of the Chamber when I stated that the office of corporation counsel is already kept busy with the usual work of that office, and both the corporation counsel and the District Commissioners say that it is utterly impossible for them to take up work of this kind. It is not a small work; it is a very important work, and it will require a good deal of time and a good deal of talent to determine these titles.

Mr. McCUMBER. Will the Senator tell me how much we are paying the corporation counsel at the present time?

Mr. GALLINGER. I have just gone over that, I will say to the Senator; but I presume it can be repeated.

Mr. McCUMBER. The Senator can just tell me generally.

Mr. GALLINGER. The aggregate salary is a little over \$10,000 for the corporation counsel and four assistants.

Mr. McCUMBER. That would be less than \$2,000 for each.

Mr. GALLINGER. The corporation counsel is paid \$4,500 and the other \$4,000 or \$5,000 is divided between four men.

Mr. McCUMBER. Why not put in another man, if they have not enough, and allow another assistant for the next year to put in all of his time on this one question, if it is necessary? Then we would not be paying him any more for a whole year's work than it is proposed to pay one man, and we would be paying him at the rate of \$2,500.

Mr. GALLINGER. Mr. President, I think if the Senator stops and reflects he will see that work of this kind will require special talent. A man who is qualified to do this work would not take the position of fifth assistant corporation counsel at a salary of \$1,200 or \$1,500 a year, I feel sure.

Mr. McCUMBER. I will answer the Senator by saying that any man who is qualified to hold the position of assistant is qualified to pass upon a question of title. If he is not qualified for work of this kind, he is not qualified to be an assistant attorney to the corporation counsel.

Mr. GALLINGER. I am willing that the matter shall be voted on. The committee went over it with great care and were satisfied that the provision is as it ought to be in the bill.

The VICE-PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Sewers," on page 36, after line 18, to insert:

For the purchase and maintenance of one motor truck for use in cleaning and repairing sewers and basins, \$2,500.

The amendment was agreed to.

The next amendment was, on page 37, line 3, to increase the appropriation for suburban sewers from \$50,000 to \$120,000.

The amendment was agreed to.

The next amendment was, on page 37, line 9, to increase the appropriation for continuing work on extension of east side intercepting sewer from boundary sewer to Brookland from \$40,000 to \$50,000.

The amendment was agreed to.

The next amendment was, on page 37, after line 14, to insert:

For changes in grade vicinity of Seventeenth and B streets NW. and Second and N streets SW., required by the abandonment of two sewer canals by the construction of the sewage-disposal system, and for the protection of the said system from flooding by river overflow at these points during the high water, \$50,000.

The amendment was agreed to.

The next amendment was, on page 37, after line 20, to insert:

For the Rock Creek west side intercepting sewer: For beginning work on the intercepting sewer on the west side of Rock Creek northward of P street (estimated cost \$298,000), \$50,000.

The amendment was agreed to.

The next amendment was, on page 37, after line 24, to insert:

For Piney Branch valley trunk sewer: For beginning the construction of the Piney Branch valley trunk sewer between Sixteenth street and Georgia avenue (estimated cost \$300,000), \$30,000.

The amendment was agreed to.

The next amendment was, under the head of "Streets," in the item for "sprinkling, sweeping, and cleaning," on page 38, line 17, before the word "cents," to strike out "nineteen" and insert "twenty-one;" in line 23, before the word "cents," to strike out "twenty" and insert "twenty-two;" and on page 39, line 1, before the word "thousand," to strike out "two hundred and fifty" and insert "three hundred and twenty-four," so as to make the proviso read:

Provided, That whenever it shall appear to the commissioners that said latter work can not be done under their immediate direction at 21 cents or less per thousand square yards, in accordance with the specifications under which the same was last advertised for bids, it shall at once be their duty to advertise to let said work under said specifications to the lowest responsible bidder; and if the same can not be procured to be done at a price not exceeding 22 cents per thousand square yards, they may continue to do said work under their immediate direction, in accordance with said specifications; \$324,000, and the commissioners shall so apportion this appropriation as to prevent a deficiency therein.

The amendment was agreed to.

The next amendment was, on page 39, after line 3, to strike out—

For cleaning snow and ice from cross walks and gutters, under the act approved March 2, 1895, \$4,000—

And in lieu thereof to insert:

For cleaning snow and ice from streets, sidewalks, cross walks, and gutters, in the discretion of the commissioners, including services and not exceeding \$10,000 for the purchase of necessary implements, \$35,000, to be immediately available and until expended.

Mr. OVERMAN. Why is the appropriation in that case increased from \$4,000 to \$35,000? The snow is about all gone. I can not understand the reason for the increase.

Mr. GALLINGER. I will suggest to the Senator from North Carolina that if he will look at the provision stricken out he will find that it is only "for cleaning snow and ice from cross walks and gutters," while this provision reads—

For cleaning snow and ice from streets, sidewalks, cross walks, and gutters—

The purpose being to give an appropriation sufficiently large to enable the Commissioners of the District, when we have a storm such as we recently had, to put a force of street cleaners and their teams on the work, and do it expeditiously and properly. We have made the sum sufficiently large—and we hope to retain it in the bill—so that we shall never have a repetition of the condition of things that we had a week or two ago, which was protested against by the newspapers, as well as by public men, by citizens of the District, and by visitors to Washington. That is the purpose.

Mr. BACON. I should like to inquire of the Senator from New Hampshire if he thinks the provision made—

The VICE-PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Georgia?

Mr. GALLINGER. Certainly.

Mr. BACON. I desire to ask the Senator if he thinks the provision made will result in such work as will prevent the accumulation of snow remaining upon the sidewalks for as much as a day?

Mr. GALLINGER. I think so. The provision is to enable the commissioners to buy machinery. That means snowplows. The provision is, "\$10,000 for the purchase of necessary implements." They have their horses; they have their men; and they will, with this \$10,000, buy whatever implements are necessary. When the snow comes they can immediately put their force at work and clean it off, I should think, in a very short time.

Mr. BACON. That refers more to the work on the streets than it does to the work on the sidewalks, does it not?

Mr. GALLINGER. This includes sidewalks.

Mr. BACON. I know; but I am speaking about the machinery contemplated.

Mr. GALLINGER. I think plows would be for sidewalks rather than for streets.

Mr. BACON. Well, of course I may be in error about it, but it strikes me that the snow on the sidewalks is generally not deep, and that plows would not be very efficacious. We had a law which required the property owners to clean off sidewalks, but I believe that was declared by a judge of the District to be unconstitutional.

Mr. GALLINGER. Yes.

Mr. BACON. I never had occasion myself to examine the decision. I want, however, to inquire of the Senator from New Hampshire whether there has ever been any effort made to test the correctness of that decision?

Mr. GALLINGER. I would say to the Senator from Georgia that the law was declared unconstitutional by the courts. Then the Commissioners of the District undertook by regulation to accomplish the same result. That was tested, and went to court, and that was declared unconstitutional. In the committee of which I chanced to have been chairman for the last two years the lawyers of that committee—some of them very good ones—have been struggling to evolve a law on this subject that would stand the test of the courts, and they have about given it up. They have found it impossible to formulate a law that would in their judgment be any more efficacious than that which the courts have declared to be unconstitutional.

Mr. BACON. That was the object of my inquiry, because if such a law can be framed I think it very important. I do not think that any rule or regulation of a municipality, if I may so term the District of Columbia, can be sufficiently efficacious, because the streets are very extended; and while it is a very small work for each property holder, it would require a tremendous force to go over the sidewalks of this city; and the sidewalks, it seems to me, are the portions of the streets which require most immediate attention.

Mr. GALLINGER. Undoubtedly.

Mr. BACON. It would be a comparatively easy matter for each householder, by very slight attention when snow first falls, unless it is an extreme snowfall, to clear at least enough of the sidewalk so that pedestrians could walk with some degree of safety; for it is not simply a matter of comfort, but it is absolutely a matter of safety. Pedestrians are very much interested in that part of it.

Mr. GALLINGER. I quite agree with the Senator from Georgia; but, unfortunately, in some of the States similar laws have been declared unconstitutional, among others in my own city, where our supreme court declared the law unconstitutional, taking the ground that it was the business of the municipality to keep the sidewalks clear, as well as the streets.

Mr. BACON. Mr. President, I have never examined the question myself, but I confess that, without such examination, I very seriously doubt the correctness of that decision. I know that in a great many jurisdictions the power of a municipality to require property holders to pave the streets in front of their houses is enforced and held to be legal. Of course, if we can compel such property holders to pave the street, we can compel them to keep that portion of the street clear of such obstructions.

Mr. GALLINGER. In this city it is not claimed that we have the power to compel them to lay a sidewalk.

Mr. BACON. I was going to say that I am very sorry that that decision was not tested to its final limit, for I do not believe that any regulation will ever be efficacious which does not impose that burden upon the property holders.

Mr. GALLINGER. I will say further to the Senator from Georgia that the subcommittee of the Committee on the District of Columbia, named the "judiciary committee," has now a bill before it to which they are giving some consideration, and I should be delighted if the Senator would examine that bill.

Mr. BACON. I quite agree with the Senator from New Hampshire that there are able lawyers upon that committee, and I am very willing and content to rest on their judgment.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 40, line 4, before the word "dollars," to strike out "one thousand five hundred," and insert "two thousand;" and in line 6, after the word "thousand," to insert "five hundred," so as to make the clause read:

Bathing beach: For superintendent, \$600; watchman, \$450; for temporary services, supplies, and maintenance, \$2,000; for repair of houses, bathing pools, and grounds, \$500; in all, \$3,550.

The amendment was agreed to.

The next amendment was, on page 40, after line 6, to insert:
For construction of swimming pool at present bathing plant, \$5,000.

The amendment was agreed to.

The next amendment was, on page 40, after line 8, to insert:

For improvements of pools for colored bathers at present plant, \$3,000.

The amendment was agreed to.

The next amendment was, on page 40, after line 10, to insert:

For one dressing house on river front, at point to be determined by the commissioners, and for services and supplies in operating and maintaining said house, \$1,000.

The amendment was agreed to.

The next amendment was, on page 40, after line 13, to insert:

All the appropriations herein made for the bathing beach, except for salaries of superintendent and watchman, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 40, after line 18, to insert:

Deep wells: For drilling deep wells and maintenance of same, \$5,000.

The amendment was agreed to.

The next amendment was, on page 40, line 21, after the word "maintenance," to strike out "and renewal of equipment" and insert "equipment, and supervision;" and in line 24, before the word "dollars," to strike out "one thousand five hundred" and insert "ten thousand," so as to make the clause read:

Playgrounds: For maintenance, equipment, and supervision, and planting trees for outdoor playgrounds, \$10,000.

The amendment was agreed to.

The next amendment was, at the top of page 41, to insert:

For the improvement and equipment of the Georgetown site, \$5,000.

The amendment was agreed to.

The next amendment was, on page 41, after line 5, to insert:

For one new public-convenience station under the sidewalk on the east side of Ninth street NW., between F and G streets, \$22,500.

The amendment was agreed to.

The next amendment was, on page 41, after line 8, to insert:

For one public-convenience station on the west side of Fifteenth street, near New York avenue, \$27,000.

The amendment was agreed to.

The next amendment was, on page 41, after line 11, to insert:

For one public-convenience station on the triangle west of Dupont Circle, between Twentieth and P streets and Massachusetts avenue, \$15,000.

The amendment was agreed to.

The next amendment was, on page 41, after line 14, to insert:

For one public-convenience station to be located on the south side of Pennsylvania avenue between First and Third streets north, \$22,500: *Provided*, That the above public-convenience stations be located on public space to be selected by the Commissioners of the District of Columbia, and the jurisdiction and control of such portion of any public reservation so selected as shall be required for the location of such stations and their approaches is hereby transferred from the United States official having charge of said reservation to the Commissioners of the District of Columbia, such transfer to take effect on the date of notice by the said commissioners to the said United States official of the location of the sites for said stations.

Mr. BURKETT. Mr. President, I want to read that over. I call the attention of the Senator in charge of the bill to the language beginning in line 18, which reads:

That the above public-convenience stations be located on public space to be selected by the Commissioners of the District of Columbia, and the jurisdiction and control of such portion of any public reservation so selected as shall be required for the location of such stations and their approaches is hereby transferred from the United States official having charge of said reservation to the Commissioners of the District of Columbia, such transfer to take effect on the date of notice by the said commissioners to the said United States official of the location of the sites for said stations.

Does that express the intention of the committee to transfer any public grounds that belong to the Government of the United States to the District Commissioners?

Mr. GALLINGER. Yes; to transfer the jurisdiction and control of that small bit of ground. That is the purpose of it. Of course, if it is not placed in their control there will be no control whatever. If it is left under the control of the United States Government, we can readily understand that it would be utterly neglected.

Mr. BURKETT. I understand one of these stations would be located in some part of the Botanic Garden. Is that correct?

Mr. GALLINGER. Well, probably somewhere along there.

Mr. BURKETT. Have not the District Commissioners now within their control for police purposes all of these parks, or all portions of ground the Government may own in the District?

Mr. GALLINGER. I think they have no control over the parks. The officer who is at the head of the public buildings and grounds of the District of Columbia, Colonel Bromwell, I think has jurisdiction over the Government's property.

Mr. BURKETT. It seems an unusual authority to be granted, but still I shall not object.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 42, line 12, before the word "dollars," to strike out "two thousand five hundred" and insert "four thousand," so as to make the clause read:

Condemnation of insanitary buildings: For all expenses necessary and incident to the enforcement of the provisions of an act entitled "An act to create a board for the condemnation of insanitary buildings in the District of Columbia, and for other purposes," approved May 1, 1906, including personal services, when authorized by the Commissioners of the District of Columbia, not to exceed \$1,200, \$4,000.

The amendment was agreed to.

The next amendment was, under the head of "Electrical department," on page 42, line 15, before the word "dollars," to strike out "five hundred" and insert "seven hundred and fifty;" in the same line, after the word "dollars," to strike out "superintendent, \$1,600," and insert "assistant electrical engineer, who shall perform the duties of the electrical engineer in the absence or disability of the latter and shall have the same qualifications as to ability and technical knowledge as is required by law of the head of the department, \$2,000;" in line 23, after the word "dollars," to insert "draftsman, \$1,200;" and on page 43, line 4, before the word "dollars," to strike out "six hundred" and insert "seven hundred and twenty," so as to read:

For electrical engineer, \$2,750; assistant electrical engineer, who shall perform the duties of the electrical engineer in the absence or disability of the latter and shall have the same qualifications as to ability and technical knowledge as is required by law of the head of the department, \$2,000; three electrical inspectors, at \$1,200 each; inspector of lamps, \$1,000; electrician, \$1,200; draftsman, \$1,200; draftsman, \$1,000; 3 telegraph operators, at \$1,000 each; 3 inspectors, at \$900 each; expert repair man, \$960; 4 repair men, at \$900 each; 3 telephone operators, at \$720 each.

The amendment was agreed to.

The next amendment was, on page 43, line 21, to increase the total appropriation for the force in the electrical department from \$44,735 to \$46,945.

The amendment was agreed to.

The next amendment was, on page 44, line 5, to increase the appropriation for general supplies, repairs, new batteries, battery supplies, etc., in the electrical department, from \$12,000 to \$15,000.

The amendment was agreed to.

The next amendment was, in the item for the electrical department, on page 44, line 11, to increase the appropriation for placing wires of fire-alarm, telegraph, police-patrol, and telephone service underground in existing conduits, etc., from \$10,000 to \$12,000.

The amendment was agreed to.

The next amendment was, in the item for the electrical department, on page 44, line 17, to increase the appropriation for extension of police-patrol system, including purchase of new boxes, purchase and erection of the necessary poles, etc., from \$4,300 to \$4,800.

The amendment was agreed to.

The next amendment was, in the item for lighting, on page 45, line 2, to increase the appropriation for illuminating material, lighting, extinguishing, repairing, and cleaning public lamps on avenues, streets, etc., from \$253,000 to \$280,000.

The amendment was agreed to.

The next amendment was, in the item for lighting, on page 45, line 3, before the word "dollars," to strike out "fifteen" and insert "eighteen;" in line 8, before the words "per annum," to strike out "\$18" and insert "\$20.85;" and in line 9, before the words "per annum," to strike out "\$20" and insert "\$22.80," so as to make the proviso read:

Provided, That no more than \$18 per annum shall be paid for each gas lamp equipped with a self-regulating flat-flame burner so adjusted as to secure under all ordinary variations of pressure and density a consumption of 5 cubic feet of gas per hour, nor more than \$20.85 per annum for each gas and \$22.80 per annum for each oil lamp equipped with an incandescent mantle burner of not less than 60 candlepower.

The amendment was agreed to.

The next amendment was, on page 46, after line 13, to insert:
Hereafter contracts shall be entered into for lighting avenues, streets, roads, and alleys in the District of Columbia by gas or electricity for a period of not exceeding three years.

Mr. CULBERSON. Mr. President, I ask the Senator in charge of the bill what is the present limit, if any, as to these contracts?

Mr. GALLINGER. I will say to the Senator that prior to last year the commissioners were given authority to make contracts for three years. Under that provision they made a very considerable saving; they got better terms than they could have gotten for one year; but last year—and I do not know what reason was urged—they were limited to a yearly contract. The commissioners represent that if they can get authority to make contracts for a term not exceeding three years, they can make

quite a saving to the District. The committee put this provision in the bill for the purpose of sending it to conference and looking it over with the conferees on the part of the other House, with the idea of adjusting it. Of course, we may have to recede from it. My own opinion is that it ought to remain in the bill, because, beyond a question, it will be a matter of some saving to the District and to the Government.

Mr. CULBERSON. I ask the Senator if this will be affected in any way by the present inquiry in reference to gas?

Mr. GALLINGER. Not at all. I will say to the Senator—and I want to be very frank about this matter—that on the preceding page the Senate struck out the amount allowed by the House per lamp and put in the amount that was in last year, with a view of having that influenced by the legislation that is pending, especially if any legislation shall be enacted, because we propose to reduce the price of gas.

Mr. CLAY. With the Senator's permission—

Mr. GALLINGER. Certainly.

Mr. CLAY. I understood the Senator to say that legislation was pending to fix the price of gas.

Mr. GALLINGER. It is; yes.

Mr. CLAY. Does the Senator think that legislation will likely go through at this session of Congress?

Mr. GALLINGER. I will refer that question to the Senator from Kansas [Mr. LONG], who is chairman of the subcommittee having that matter in charge.

Mr. CLAY. Does that legislation attempt to fix the future rate on gas?

Mr. GALLINGER. It does.

Mr. CLAY. I will ask the Senator—

Mr. GALLINGER. I will say to the Senator that the House has passed the bill reducing the price of gas.

Mr. CLAY. The House has passed the bill?

Mr. GALLINGER. The House has passed the bill reducing the price of gas from \$1 to 85 cents per thousand cubic feet. They have likewise passed other gas legislation, and are now struggling with the monoxide question.

Mr. CLAY. Is this provision in conformity with the bill passed by the House relative to gas? I see that the Senate committee puts this item at \$20.85.

Mr. GALLINGER. That is for lighting lamps. What I said was that the Senate committee struck it out for the purpose of sending it to conference; and, if we have gas legislation, it will influence the amount which we will place in the bill.

Mr. CLAY. I know there has been a great deal of agitation on the subject, though I have not been very familiar with it. There has been a contention that the price of gas was too high. Whether or not that is true, I presume the Senator is perfectly familiar with the fact.

Mr. GALLINGER. We are taking the question up in good faith, and hope to have proper legislation before the end of this Congress, I will say to the Senator.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 46, line 20, before the word "dollars," to strike out "nineteen thousand four hundred and twenty-five" and insert "twenty-five thousand;" and in line 21, before the word "dollars," to strike out "eighty" and insert "eighty-five," so as to make the clause read:

For electric arc lighting, and for extensions of such service, not exceeding \$125,000: *Provided*, That not more than \$85 per annum shall be paid for any electric arc light burning from fifteen minutes after sunset to forty-five minutes before sunrise, and operated wholly by means of underground wires; and each arc light shall be of not less than 1,000 actual candlepower, and no part of this appropriation shall be used for electric lighting by means of wires that may exist on or over any of the streets or avenues of the city of Washington.

The amendment was agreed to.

The next amendment was, on page 47, line 9, to increase the appropriation for the purchase of 15 additional fire-alarm boxes and for the purchase and erection of necessary poles, etc., from \$3,000 to \$5,000.

The amendment was agreed to.

The next amendment was, on page 47, after line 9, to insert:

For purchase of one motor delivery wagon with extra tires and equipment, \$1,200.

The amendment was agreed to.

The next amendment was, under the head of "Washington Aqueduct," on page 47, line 23, to increase the appropriation for care, including salaries of all necessary employees, maintenance, and operation of the Washington Aqueduct, District of Columbia, etc., from \$82,000 to \$85,000.

The amendment was agreed to.

The next amendment was, under the head of "Rock Creek Park," on page 48, line 8, after the word "Park," to insert "and of the Piney Branch parkway entrance to said park from Sixteenth street extended;" in line 12, before the word "thousand," to strike out "fifteen" and insert "twenty;" and in line 13, after the word "dollars," to insert "and the said board of control is hereby authorized to purchase eight hundred and sixty-seven one-thousandths acre, more or less, of land adjoining the northern boundary of Rock Creek Park, assessed as parcel 64-3, for a sum not to exceed \$400, chargeable to said appropriation," so as to make the clause read:

For care and improvement of Rock Creek Park, and of the Piney Branch parkway entrance to said park from Sixteenth street extended, exclusive of building for superintendent's residence, to be expended under the direction of the board of control of said park, \$20,000; and the said board of control is hereby authorized to purchase eight hundred and sixty-seven one-thousandths acre, more or less, of land adjoining the northern boundary of Rock Creek Park, assessed as parcel 64-3, for a sum not to exceed \$400, chargeable to said appropriation.

The amendment was agreed to.

The next amendment was, on page 48, line 25, after the word "dollars," to insert "chief clerk, who in the absence of the secretary, upon leave granted by the board of education, shall act as his deputy, \$1,600;" on page 49, line 6, before the word "dollars," to strike out "seven hundred and twenty" and insert "nine hundred;" and in line 10, before the word "dollars," to strike out "fifty-two thousand five hundred and twenty," and insert "fifty-four thousand three hundred," so as to make the clause read:

For officers: For superintendent of public schools, \$5,000; 2 assistant superintendents, at \$3,000 each; director of intermediate instruction, 13 supervising principals, and supervisor of manual training, 15 in all, at a minimum salary of \$2,200 each; secretary, \$2,000; chief clerk, who in the absence of the secretary, upon leave granted by the board of education, shall act as his deputy, \$1,600; clerk, \$1,400; 2 clerks, at \$1,000 each; clerk to carry out the provisions of the child-labor law, \$900; 2 stenographers, at \$840 each; 1 messenger, \$720; in all, \$54,300.

The amendment was agreed to.

The next amendment was, on page 49, line 15, after the word "dollars," to insert "one attendance officer, \$720;" and in line 17, before the word "dollars," to strike out "one hundred" and insert "eight hundred and twenty," so as to make the clause read:

Attendance officers: For two attendance officers, authorized by the act providing for compulsory education in the District of Columbia, approved June 8, 1906, at \$600 each; one attendance officer, \$900; one attendance officer, \$720; in all, \$2,820.

The amendment was agreed to.

The next amendment was, on page 49, after line 17, to insert: Child-labor inspectors: For two inspectors of child labor, at \$1,200 each, \$2,400.

Mr. GALLINGER. Let the amendment be disagreed to, as the provision has been inserted in a former part of the bill.

The amendment was rejected.

The reading of the bill was continued to the end of line 18 on page 50.

Mr. GALLINGER. I offer the amendment I send to the desk, to be inserted as a proviso.

The SECRETARY. After the word "each," in line 18, page 50, it is proposed to insert:

Provided, That hereafter no teacher shall be eligible to group B, class 6, who has not attained the maximum of group A.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 50, line 20, before the word "in," to strike out "three" and insert "fifty-eight," so as to read:

For teachers in group A of class 6, 258 in all, at a minimum salary of \$1,000 each.

The amendment was agreed to.

The next amendment was, on page 50, after the word "each," in line 21, to insert:

Provided, That all teachers of manual training, drawing, physical culture, music, domestic science, and domestic art in the normal, high, and manual training schools, and the assistants to the directors of primary instruction shall be placed in group A, class 6: *Provided*, That hereafter no teacher of these subjects shall be appointed without like or equivalent requirements as for academic or scientific subjects: *And provided further*, That all principals and teachers, including principals and teachers in normal, high, manual training, grade schools, and kindergartens, and teachers of special studies, now in the service of the public schools, may be placed by the board of education and receive their longevity increase according to their number of years of experience in teaching in accredited schools, and the amount of additional longevity pay for this purpose shall not exceed \$20,000 in any one year.

Mr. GALLINGER. I move to amend the amendment by inserting before the word "teachers," in line 5, page 51, the words "directors and."

The SECRETARY. On page 51, before the word "teachers," in line 5, it is proposed to insert "directors and."

Mr. BURKETT. I want to make a point of order against the amendment.

The VICE-PRESIDENT. Against the amendment just offered?

Mr. BURKETT. Against the whole amendment.

Mr. GALLINGER. Will the Senator allow the amendment to be perfected?

Mr. BURKETT. I will be glad to.

The VICE-PRESIDENT. Without objection, the amendment to the amendment is agreed to.

Mr. GALLINGER. After the word "now," in the same line, I move to insert "and hereafter."

The amendment to the amendment was agreed to.

Mr. BURKETT. Mr. President, I make the point of order against the amendment that it is general legislation.

The VICE-PRESIDENT. The Chair is of the opinion that the point of order is well taken.

Mr. GALLINGER. I should like to have the Senator state the ground upon which he makes the point of order.

Mr. BURKETT. I make the point of order that it is general legislation.

The VICE-PRESIDENT. The Chair is of the opinion—

Mr. GALLINGER. Let the rule be read, if you please. Will the clerk read Rule XVI, subdivision 3?

The VICE-PRESIDENT. The Secretary will read as requested.

The Secretary read subdivision 3 of Rule XVI, as follows:

3. No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject-matter contained in the bill be received; nor shall any amendment to any item or clause of such bill be received which does not directly relate thereto; and all questions of relevancy of amendments under this rule, when raised, shall be submitted to the Senate and be decided without debate; and any amendment to a general appropriation bill may be laid on the table without prejudice to the bill.

Mr. GALLINGER. Mr. President—

Mr. BURKETT. I ask the clerk to read the paragraph from the RECORD which I send up on this point.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

Mr. BURKETT. I will say that what I have asked to have read is a paragraph from the remarks of the Senator himself, made a year ago upon an amendment which I offered, somewhat changing the school law, on which occasion the presiding officer held the amendment out of order.

Mr. GALLINGER. Mr. President, I think that is hardly necessary unless the Senator insists upon it, although I have no objection to anything I have ever said being read.

Mr. BURKETT. I want it read for information.

Mr. GALLINGER. I am not going to resist the point of order. I think it will lie against the amendment. I am sorry it has been made, I will say, because I think the amendment would do simple justice to a very worthy class of teachers who are now discriminated against in our school law. The Chair has ruled correctly, as the Chair always does.

The VICE-PRESIDENT. The Chair sustains the point of order.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 51, line 12, to reduce the number of teachers in class 5 at a minimum salary of \$950 each, from 154 to 113.

Mr. CULBERSON. I do not understand the amendment. Do I understand that the teaching force in class 5 is to be reduced?

Mr. GALLINGER. I will say to the Senator that these amendments which were reported will all have to be disagreed to. The first is in line 20, on page 50. It will have to be restored so as to read "two hundred and three" in place of "two hundred and fifty-eight," and likewise on the succeeding page.

Mr. CULBERSON. On page 51, line 11—

Mr. GALLINGER. If the Senator will permit me, on page 50, line 20, the amendment should be disagreed to.

The VICE-PRESIDENT. The amendment will again be stated.

The SECRETARY. On page 50, line 20, it is proposed to strike out "three" and insert "fifty-eight," so as to read:

For teachers in group A of class 6, 258 in all, at a minimum salary of \$1,000 each.

The VICE-PRESIDENT. The amendment will be regarded as open.

Mr. GALLINGER. Let it be disagreed to.

The amendment was rejected.

The VICE-PRESIDENT. The question is on agreeing to the amendment in line 11, on page 51, which has heretofore been stated.

The amendment was rejected.

The next amendment was, on page 51, line 14, to reduce the number of teachers in class 4, at a minimum salary of \$800 each, from 425 to 411.

Mr. GALLINGER. Let the amendment likewise be disagreed to. The changes were made, I will say to the Senator from Texas, in view of the amendment that had been placed in the bill, which has been ruled out on a point of order. So we will now return to the provisions of the House bill.

Mr. CULBERSON. It occurred to me as an extraordinary reduction—from 154 to 113—in the teaching force of this class, and I wanted an explanation of it.

Mr. GALLINGER. It was. We had placed the difference in numbers in the amendment at the bottom of page 50.

The amendment was rejected.

Mr. GALLINGER. It is all right now.

The next amendment was, on page 52, line 8, to increase the total appropriation for salaries of teachers from \$1,313,050 to \$1,317,900.

Mr. GALLINGER. Let the proposed amendment be disagreed to.

The amendment was rejected.

The next amendment was, on page 53, line 10, to increase the appropriation for longevity pay from \$210,000 to \$230,000.

Mr. GALLINGER. Let the amendment be disagreed to.

The amendment was rejected.

The next amendment was, at the top of page 54, to insert the following further proviso:

Provided further, That hereafter officers, teachers, and janitors may employ substitutes for such periods at such rates of pay and from such eligible lists as may be prescribed by the board of education: *Provided further*, That in case of death or other emergency the board of education may temporarily appoint substitute officers, teachers, and janitors to fill any vacancy which may occur in the public school system, provided that substitutes appointed by the board of education be paid the salary of the position or class in which the service is performed.

Mr. BURKETT. Mr. President, I desire to make a point of order on the amendment, or to reserve it at least, until I can ask the Senator in charge of the bill the necessity for it and what it is intended to accomplish, if anything more than we can read in the wording of it. In my opinion, after investigating somewhat, as I have had to do, the whole school system, if there is one abuse here which is annoying to those in charge of the schools, it is the habit which it seems has grown up and become a practice, of having substitutes. It is very bad for the students and it is very bad for the organization of the schools.

It occurs to me that this will have a tendency by legislation to extend that bad practice. It does not protect, as the Senator will observe, the substitute who is hired by the teacher so much as the substitute hired by the board. The board is limited in paying salaries to what the position pays. The individual janitor or teacher can employ a substitute for what he can get him for, if the board will permit it. In short, it seems to me that this cultivates that practice and extends it, which I say from some investigation is rather abused now.

I do not want to raise a point of order if the matter has been well considered and if it is necessary for the board of education, but I have not had my attention called to it. However, I will say what information I have from superintendents and principals is that the practice of substitutes coming in all the time is already too general, and is detrimental.

Mr. GALLINGER. The Senator will readily agree with me that it is absolutely necessary in the public schools of Washington to appoint substitutes to a greater or less extent.

Mr. BURKETT. Yes; they do now.

Mr. GALLINGER. If a teacher is sick, of course the place must be filled. The board of education submitted this proposed amendment to the committee, and the committee thought it was a very proper amendment. As I understand the matter, the present rule is that where a substitute is employed the substitute is paid one-half the salary. Where the other half goes I do not know—whether it goes to the sick teacher or the absent teacher, or whether it goes into the Treasury—and I apprehend the board of education had in view the correction of that as much as anything else in providing that the full salary should be paid to the substitute. It may be that the substitute is not so good a teacher as the one absent, but if he fills the place it does seem to me the same salary should be paid to the substitute who is there for a few days.

We can not get rid of the appointment of substitutes. That will go on, whether we legislate or not. I can not for the life of me see that there is any provision in this amendment which can by any possible means prove detrimental to the schools. Possibly the Senator does see some objection that does not occur to me.

Mr. BURKETT. The Senator raises the exact point that I wanted to bring out. I was not certain of it, although I had that impression. There is an evil here, which has grown up, as I have been informed by those in the schools, of too much substitution, and the board has had some difficulty in handling it. I realize that. I did not know before, however, that they had been hiring substitutes for half their own pay. That would have a tendency to cultivate the practice. That answers the question I asked with reference to the first three lines. Why should not the same provision be placed in the amendment with reference to a teacher hiring her own substitute as is put upon the board in hiring a substitute; in short, that the teacher must pay full salary to the substitute? It seems to me it would take away some of the inducements to substituting.

Mr. GALLINGER. There is much force in that suggestion, and if it is agreeable to the Senator from Nebraska the paragraph may be passed for the present, and the Senator can prepare an amendment.

Mr. BURKETT. Then I will withdraw the point of order and let the amendment be acted upon directly if the Senator will consider it in the conference committee. It will have to go into conference anyway. I withdraw the point of order.

Mr. GALLINGER. I guarantee the Senator that will be done.

The VICE-PRESIDENT. The point of order is withdrawn. The question is on agreeing to the amendment reported by the Committee on Appropriations.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 54, line 18, to increase the appropriation for salaries of teachers and janitors of night schools from \$12,500 to \$22,000.

The amendment was agreed to.

The next amendment was, on page 54, line 22, to increase the appropriation for contingent and other necessary expenses of night schools, etc., from \$2,500 to \$3,500.

The amendment was agreed to.

The next amendment was, on page 54, line 24, to increase the appropriation for kindergarten supplies from \$2,000 to \$3,000.

The amendment was agreed to.

The next amendment was, on page 55, line 2, to increase the appropriation for the salary of the superintendent of janitors from \$1,200 to \$1,500.

The amendment was agreed to.

The next amendment was, on page 55, line 6, to increase the appropriation for care of the Business High School from \$1,000 to \$2,200.

The amendment was agreed to.

The next amendment was, on page 55, line 11, to increase the appropriation for the care of the Western High School from \$1,400 to \$2,000.

The amendment was agreed to.

The next amendment was, on page 55, line 17, to increase the appropriation for care of the McKinley Manual Training School from \$1,400 to \$1,700.

The amendment was agreed to.

The next amendment was, on page 55, line 20, to increase the appropriation for salary of 1 engineer and instructor in steam engineering at the McKinley Manual Training School from \$1,200 to \$1,500.

The amendment was agreed to.

The next amendment was, on page 55, line 22, to increase the appropriation for the salary of 1 assistant engineer at the McKinley Manual Training School from \$600 to \$900.

The amendment was agreed to.

The next amendment was, on page 56, line 3, to increase the appropriation for the salary of 1 engineer and instructor in steam engineering at the Armstrong Manual Training School from \$1,000 to \$1,300.

The amendment was agreed to.

The next amendment was, on page 56, line 5, to increase the appropriation for the salary of 1 assistant engineer at the Armstrong Manual Training School from \$600 to \$700.

The amendment was agreed to.

The next amendment was, on page 56, line 8, before the word "Emery," to strike out "Wallach and;" in the same line, after the word "school," to strike out "buildings," and insert "building;" in line 9, after the word "and," to strike out "one sixteen-room building in the first division," and insert "the Henry D. Cooke building;" in line 11, before the word "in," to strike out "four," and insert "three;" and in line 12, before the word "dollars," to insert "two hundred," so as to make the clause read:

Of the Emery School building, sixteen-room building to take the place of the Mott, and the Henry D. Cooke building, three in all, at \$1,200 each.

The amendment was agreed to.

The next amendment was, on page 56, line 13, after the word "annex," to insert "and the Wallach school, at;" and in line 14, after the word "dollars," to insert "each;" so as to make the clause read:

Of the Van Buren School and annex, and the Wallach School, at \$1,000 each.

The amendment was agreed to.

The next amendment was, on page 56, line 17, after the name "Lincoln," to insert the name "Lovejoy;" and in line 20, after the word "schools," to strike out "twenty" and insert "twenty-one," so as to make the clause read:

Of the Birney and annex, Brookland, Bryan, Curtis, Dennison, Force, Gage, Gales, Garfield, Garnet, Grant, Henry, Johnson and annex, Lincoln, Lovejoy, Monroe and addition, Peabody, Seaton, Sumner, and Webster school buildings, and one new building to relieve the Franklin and Thompson schools, 21 in all, at \$900 each.

The amendment was agreed to.

The next amendment was, on page 57, line 2, after the name "Bell," to insert "Benning (white);" in line 4, after "Cardozo," to insert "Chevy Chase, Cleveland Park;" in line 8, after the name "Logan," to strike out the name "Lovejoy;" in line 10, after the name "Polk," to insert the name "Potomac;" and in line 14, before the word "in," to strike out "seventy-one" and insert "seventy-four," so as to make the clause read:

Of the Adams, Addison, Ambush, Amidon, Anthony Bowen, Arthur, Banneker, Bell, Benning (white), Blair, Blake, Blow, Bradley, Brent, Briggs, Bruce, Buchanan, Carberry, Cardozo, Chevy Chase, Cleveland Park, Congress Heights, Corcoran, Dent, Douglass, Edmunds, Eckington, Fillmore, Garrison, Giddings, Greenleaf, Harrison, Hayes, Hilton, Hubbard, Hyde, Jackson, Jones, Ketcham, Langston, Lenox, Logan, Ludlow, Madison, Magruder, Maury, Montgomery, Morgan, Morse, Patterson, Payne, Petworth, Phelps, Phillips, Pierce, Polk, Potomac, Ross, Abby S. Simmons, Slater, Smallwood, Takoma, Taylor, Toner, Towers, Twining, Tyler, Van Ness, Webb, Weightman, Wheatly, Wilson, and Wormly buildings, and one eight-room building adjacent to Johnson School, 74 in all, at \$600 each.

Mr. GALLINGER. In line 12, I move to strike out "Wheatly" and insert "Wheatley," and in line 13 I move to strike out the name "Wormly" and insert "Wormley."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 57, line 18, before the name "Benning," to strike out "Benning (white);" in line 19, after the name "Brightwood Park," to insert "Brookland (colored);" in the same line, before the name "Deanwood," to strike out "Chevy Chase;" in line 20, before the name "Reno," to strike out "Potomac;" and in line 22, before the word "in," to strike out "fourteen" and insert "twelve," so as to make the clause read:

Of the Benning (colored), Brightwood Park, Brookland (colored), Deanwood, Hamilton, Kenilworth, McCormick, Orr, Reno, Reservoir, Stanton, and Threlkeld buildings, 12 in all, at \$300 each.

The amendment was agreed to.

The next amendment was, on page 58, line 4, after the word "schools," to strike out the comma, so as to make the paragraph read:

For care of smaller buildings and rented rooms, including cooking and manual training schools wherever located, at a rate not to exceed \$72 per annum for the care of each schoolroom, \$9,000.

Mr. GALLINGER. That is a very important amendment.

The amendment was agreed to.

The next amendment was, on page 58, line 7, to increase the total appropriation for janitors and care of buildings and grounds from \$108,320 to \$113,820.

The amendment was agreed to.

The next amendment was, on page 59, line 7, before the word "thousand," to strike out "fifty" and insert "one hundred," so as to make the clause read:

For repairs and improvements to school buildings and grounds and for repairing and renewing heating and ventilating apparatus, \$100,000.

The amendment was agreed to.

The next amendment was, on page 59, line 9, before the word "thousand," to strike out "fifty" and insert "sixty," so as to make the clause read:

For necessary repairs to and changes in plumbing in existing school buildings, \$60,000.

The amendment was agreed to.

The next amendment was, on page 59, line 18, before the word "thousand," to strike out "twenty" and insert "thirty," so as to make the clause read:

For the purchase and repair of tools, machinery, material, and books, and apparatus to be used in connection with instruction in manual training, and for incidental expenses connected therewith, \$30,000.

The amendment was agreed to.

The next amendment was, on page 59, line 20, before the word "thousand," to strike out "ninety" and insert "ninety-five," so as to make the clause read:

For fuel, gas, and electric light and power, \$95,000.

The amendment was agreed to.

The next amendment was, on page 59, after line 20, to strike out:

No expenditure shall be made under appropriations made by this act for gas or electric current used for any purpose whatsoever at a price exceeding 85 cents per 1,000 cubic feet for gas, or 4½ cents per kilowatt hour for electric current. This provision shall not apply to lighting streets, avenues, alleys, or highways, the price for which is otherwise limited by this act.

The amendment was agreed to.

The next amendment was, on page 60, line 4, after the word "furniture," to insert "including also clocks, pianos;" in line 9, before the word "dollars," to strike out "eight hundred and seventy-five" and insert "one thousand one hundred and forty-five;" in line 12, before the word "dollars," to strike out "two thousand six hundred and twenty-five" and insert "four thousand one hundred and fifteen;" in line 14, before the word "dollars," to strike out "one thousand seven hundred and fifty" and insert "two thousand seven hundred and thirty-five;" in line 17, before the word "dollars," to strike out "two thousand six hundred and twenty-five" and insert "four thousand one hundred and fifteen;" in line 18, before the word "hundred," to strike out "nine" and insert "two thousand six;" in line 19, before the word "hundred," to strike out "four" and insert "eight;" and in line 22, before the word "dollars," to strike out "nine thousand six hundred and twenty-five" and insert "fifteen thousand nine hundred and sixty," so as to make the clause read:

For furniture, including also clocks, pianos, and window shades for new school buildings, additions to buildings, kindergartens, manual training, cooking, and sewing schools, as follows: One four-room addition to Monroe School building, \$1,145; 1 twelve-room building to take place of the Garfield School building, \$4,115; 1 eight-room building, Johnson Annex, \$2,735; 1 twelve-room building to relieve Franklin and Thomson schools, \$4,115; 6 kindergartens, \$2,600; 2 manual training shops, \$800; 1 cooking school, \$300; 1 sewing school, \$150; in all, \$15,960, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 61, line 6, before the word "thousand," to strike out "forty-five" and insert "fifty," so as to make the clause read:

For contingent expenses, including furniture and repairs of same, stationery, printing, ice, purchase and repair of equipment for high-school cadets, and other necessary items not otherwise provided for, including an allowance of \$300 each for livery of horse or garage of an automobile for the superintendent of schools and for the superintendent of janitors, and including not exceeding \$1,000 for books, books of reference, and periodicals, \$50,000.

The amendment was agreed to.

The next amendment was, on page 61, line 10, before the word "hundred," to strike out "one thousand two" and insert "two thousand four," so as to make the clause read:

For purchase of pianos for school buildings and kindergarten schools, at an average cost not to exceed \$300 each, \$2,400.

The amendment was agreed to.

The next amendment was, on page 61, line 20, before the word "thousand," to strike out "sixty-five" and insert "seventy-five," so as to make the clause read:

For text-books and school supplies for use of pupils of the first eight grades who at the time are not supplied with the same, to be distributed by the superintendent of public schools under regulations to be made by the board of education of the District of Columbia, and for the necessary expenses of the purchase, distribution, and preservation of said text-books and supplies, including 1 bookkeeper and custodian of text-books and supplies, at \$1,200, and 1 assistant, at \$600, \$75,000: *Provided*, That the board of education, in its discretion, is authorized to make exchanges of such books and other educational publications now on hand as may not be desirable for use.

The amendment was agreed to.

The next amendment was, at the top of page 62, to insert:

For equipment, grading, and improving six additional playgrounds, \$1,500.

The amendment was agreed to.

Mr. GALLINGER. On page 62, in line 2, at the end of the amendment, the period should be stricken out and a semicolon inserted.

The amendment was agreed to.

The next amendment was, on page 62, after line 2, to insert:

For maintenance and repairing 18 playgrounds now established, \$900; in all, \$2,400.

The amendment was agreed to.

The next amendment was, on page 62, after line 8, to insert:

Purchase of horse and wagon and equipment and maintenance of same; also the hire of driver at rate not to exceed \$50 per month; in all, \$1,400.

The amendment was agreed to.

The next amendment was, on page 62, line 15, before the word "School," to strike out "High" and insert the name "Hill," so as to make the clause read:

For extending the telephone system to 1 twelve-room building in the "fourth division," and 1 eight-room building in the "third division," the Bunker Hill School, including the cost of the necessary wire, cable,

poles, cross arms, braces, conduit connections, extra labor, and other necessary items, to be expended under the electrical department, \$400.

The amendment was agreed to.

The next amendment was, on page 65, after line 8, to insert:

For construction of a normal school building on lots 76 and 106 of Parker and Pulsifer subdivision of Columbia Heights, \$100,000; and the total cost of said building, under a contract which is hereby authorized therefor, shall not exceed \$250,000.

The amendment was agreed to.

The next amendment was, on page 65, after line 14, to insert:

For refitting Franklin School building, for storerooms, offices, and board rooms, \$25,000.

The amendment was agreed to.

The next amendment was, on page 65, after line 16, to insert:

For alteration and repair of Central High School building and equipment, \$40,000.

The amendment was agreed to.

The next amendment was, on page 65, after line 18, to insert:

Equipment of Business High School addition, \$25,000.

The amendment was agreed to.

The next amendment was, on page 65, after line 20, to insert:

Purchase of ground adjacent to Fillmore School, approximately 25,000 square feet, \$10,000.

The amendment was agreed to.

Mr. GALLINGER. On page 65, after line 23, I move to insert:

For the purchase of additional ground for further extension of McKinley Manual Training School, \$100,000.

The amendment was agreed to.

The next amendment was, on page 65, after line 23, to insert:

For construction of a further extension of McKinley Manual Training School, \$95,000.

The amendment was agreed to.

The next amendment was, on page 65, after line 25, to insert:

For purchase of lots adjacent to Petworth School, approximately 8,715 square feet, \$4,000.

The amendment was agreed to.

The next amendment was, on page 66, line 10, before the word "thousand," to strike out "fifty" and insert "one hundred," so as to make the clause read:

For additional amount for "Repairs and improvements to school buildings and grounds" for the purpose of replacing wooden stairways in brick buildings with those of fireproof construction, removal of old and unsuitable fire ladders and fire escapes, improving exits, and for such miscellaneous alteration and repair work as may be necessary to secure protection against fire in existing school buildings owned by the District of Columbia, \$100,000, or so much thereof as may be necessary, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 66, line 20, before the word "of" where it occurs the second time, to strike out "inspector of buildings" and insert "municipal architect," so as to make the clause read:

That the plans and specifications for all buildings provided for in this act shall be prepared under the supervision of the municipal architect of the District of Columbia and shall be approved by the Commissioners of the District of Columbia, and shall be constructed in conformity thereto.

The amendment was agreed to.

The next amendment was, in the items "For Metropolitan police," on page 68, line 8, before the word "captains," to strike out "ten" and insert "eleven;" in line 10, after the word "clerk," where it occurs the second time, to insert "and stenographer;" and in line 11, after the word "dollars," to insert "clerk, who shall be assistant property clerk, \$1,200," so as to read:

For major and superintendent, \$4,000; assistant superintendent, with rank of inspector, \$2,500; 3 inspectors, at \$1,800 each; 11 captains, at \$1,500 each; chief clerk, who shall also be property clerk, \$2,000; clerk and stenographer, \$1,500; clerk, who shall be assistant property clerk, \$1,200.

The amendment was agreed to.

The next amendment was, in the items "For Metropolitan police," on page 68, line 22, to reduce the number of privates of class 3, at \$1,200 each, from 82 to 80; in line 24, to reduce the number of privates of class 2, at \$1,080 each, from 89 to 87; and in line 25, to increase the number of privates of class 1, at \$900 each, from 88 to 142.

The amendment was agreed to.

The next amendment was, in the items "For Metropolitan police," on page 69, line 6, to increase the salaries of 6 telephone operators from \$600 each to \$720 each.

The amendment was agreed to.

The next amendment was, on page 69, line 16, to increase the number of police matrons, at \$600 each, from two to three.

The amendment was agreed to.

The next amendment was, on page 69, line 17, to increase the total appropriation for the Metropolitan police from \$923,453.52 to \$971,513.52.

The amendment was agreed to.

The next amendment was, in the items for Metropolitan police, page 69, line 19, after the word "cents," to insert the following proviso:

Provided, That any private of the Metropolitan police force who served for a period of five years prior to the act of June 8, 1906, shall be included in class 3.

The amendment was agreed to.

The next amendment was, on page 69, after line 25, to insert:

For the purchase of a site for a substation in the ninth precinct, or so much thereof as may be necessary, \$2,000.

Mr. GALLINGER. The words "two thousand dollars" should be transposed.

The SECRETARY. On page 70, line 1, after the word "precinct," insert "\$2,000," and at the end of the line strike out "\$2,000," so as to read:

For purchase of a site for a substation in the Ninth precinct, \$2,000, or so much thereof as may be necessary.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 70, line 17, before the word "thousand," to strike out "thirty-five" and insert "forty," so as to read:

For miscellaneous and contingent expenses, including the purchase of new wagons, rewards for fugitives, modern revolvers, maintenance of card system, stationery, city directories, periodicals, telegraphing, telephoning, photographs, printing, binding, gas, ice, washing, meals for prisoners, furniture and repairs thereto, beds and bed clothing, insignia of office, purchase of horses, horse and vehicle for superintendent, bicycles, police equipments and repairs to the same, harness, forage, repairs to vehicles, van, and patrol wagons and saddles, mounted equipments, and expenses incurred in the prevention and detection of crime, repairs to rented buildings, and other necessary expenses, \$40,000.

The amendment was agreed to.

The next amendment was, in the items for miscellaneous and contingent expenses, on page 70, line 23, after the word "expended," to insert the following proviso:

Provided, That the War Department may, in its discretion, furnish the District Commissioners for the use of the police, upon requisition, such worn mounted equipment as may be required.

The amendment was agreed to.

The next amendment was, on page 71, after line 4, to insert:

For reconstruction of cell corridors and making, erecting, and placing therein in the first, fourth, and sixth police precinct station houses eight modern cells in each, \$15,000.

The amendment was agreed to.

The next amendment was, on page 71, after line 8, to insert:

For one motor patrol wagon, \$3,000.

The amendment was agreed to.

The next amendment was, on page 71, line 10, to increase the total appropriation for miscellaneous and contingent expenses Metropolitan police, from \$45,080 to \$70,080.

The amendment was agreed to.

The next amendment was, in the items for the maintenance of the house of detention, on page 71, line 21, to increase the number of clerks at \$900 each from 2 to 3, and in line 24, to increase the number of matrons at \$600 each from 2 to 3.

The amendment was agreed to.

The next amendment was, on page 71, line 25, to increase the appropriation for maintenance of the house of detention from \$12,980 to \$14,480.

The amendment was agreed to.

The next amendment was, at the top of page 72, to insert:

To aid in the support of the National Bureau of Criminal Identification, to be expended under the direction of the Commissioners of the District of Columbia: *Provided*, That the several departments of the General Government may be entitled to like information from time to time as is accorded the police departments of various municipalities privileged to membership therein, \$5,000.

The amendment was agreed to.

The next amendment was, on page 72, line 9, after the word "dollars," to strike out "1 fireman, \$480" and insert "2 firemen, at \$600 each;" in line 11, before the word "dollars," to strike out "four hundred and twenty" and insert "five hundred and forty;" in line 13, before the word "dollars," to strike out "four hundred and eighty" and insert "five hundred and forty;" and in the same line, before the word "hundred," to strike out "two thousand three" and insert "three thousand two," so as to make the clause read:

For harbor patrol: For 1 engineer, \$1,000; 2 firemen, at \$600 each; 1 matchman, \$540; 1 deck hand, \$540; in all, \$3,280.

The amendment was agreed to.

The next amendment was, on page 72, line 17, to increase the total appropriation for maintenance of the harbor patrol from \$4,380 to \$5,280.

The amendment was agreed to.

Mr. GALLINGER. On page 72, line 14, after the word "dollars," the period should be stricken out and a semicolon inserted, and the same at the end of line 16.

The SECRETARY. Line 14, after the word "dollars," strike out the period and insert a semicolon; and in line 16, after the word "dollars," strike out the period and insert a semicolon.

The amendment was agreed to.

The next amendment was, under the head of "For the fire department," on page 72, line 25, before the word "clerk," to insert "chief;" in line 1, page 73, before the word "hundred," to strike out "four" and insert "six;" in line 5, before the word "hundred," to strike out "four" and insert "six;" in line 18, after the word "each," to insert "messenger at fire department headquarters, \$600;" in line 20, after the word "dollars," to insert "hostler, to have charge of department stable, \$720," so as to read:

FOR THE FIRE DEPARTMENT.

For chief engineer, \$3,500; deputy chief engineer, \$2,500; three battalion chief engineers, at \$2,000 each; fire marshal, \$2,000; deputy fire marshal, \$1,400; two inspectors, at \$1,080 each; chief clerk, \$1,600; clerk, \$1,200; 35 captains, at \$1,400 each; 36 lieutenants, at \$1,200 each; superintendent of machinery, \$1,600; assistant superintendent of machinery, \$1,200; 22 engineers, at \$1,150 each; 22 assistant engineers, at \$1,100 each; 2 pilots, at \$1,150 each; 2 marine engineers, at \$1,150 each; 2 assistant marine engineers, at \$1,100 each; 2 marine firemen, at \$720 each; 36 drivers, at \$1,150 each; 36 assistant drivers, at \$1,100 each; 202 privates of class 2, at \$1,080 each; 37 privates of class 1, at \$960 each; messenger at fire department headquarters, \$600; 1 laborer, \$480; hostler to have charge of department stable, \$720.

The amendment was agreed to.

The next amendment was, on page 73, line 22, to increase the total appropriation for the fire department from \$507,860 to \$509,580.

The amendment was agreed to.

The next amendment was, on page 73, line 25, to increase the appropriation for repairs and improvements to engine houses and grounds from \$9,000 to \$12,000.

The amendment was agreed to.

The next amendment was, on page 74, line 2, after the word "appliances," to insert "including motor vehicles and other motor-driven apparatus," and in line 3, before the word "thousand," to strike out "twelve" and insert "thirteen," so as to make the clause read:

For repairs to apparatus and for new apparatus and new appliances, including motor vehicles and other motor-driven apparatus, \$13,000.

The amendment was agreed to.

The next amendment was, on page 74, line 7, to increase the appropriation for forage for the fire department from \$24,000 to \$29,300.

The amendment was agreed to.

The next amendment was, on page 74, line 10, to increase the appropriation for repairs and improvements of the fire boat from \$1,000 to \$1,500.

The amendment was agreed to.

The reading of the bill was resumed.

Mr. BACON. I am under the misfortune of again finding that my print of the bill is not correct. The word "dollars" is a very important feature in the appropriation.

The VICE-PRESIDENT. The Secretary will read the bill.

The reading was resumed.

The next amendment was, on page 74, line 14, to increase the appropriation for contingent expenses, horseshoeing, furniture, fixtures, oil, medical and stable supplies, harness, blacksmithing, etc., from \$23,000 to \$24,000.

The amendment was agreed to.

The next amendment was, on page 74, line 15, to increase the total appropriation for miscellaneous items for the fire department from \$114,000 to \$124,800.

The amendment was agreed to.

The next amendment was, on page 74, line 19, after the words "District of Columbia," to insert "including cost of necessary instruments for receiving alarms and connecting said house with fire-alarm headquarters;" and in line 22, before the word "thousand," to strike out "eighty" and insert "eighty-five," so as to make the clause read:

Increase fire department: For house, site, and furniture for engine company No. 2 of the fire department of the District of Columbia, including cost of necessary instruments for receiving alarms and connecting said house with fire-alarm headquarters, \$85,000.

The amendment was agreed to.

The next amendment was, on page 75, after line 7, to insert: For house, site, and furniture for an engine company, to be located in the northwest section of the city, in the vicinity bounded by H and I streets and Eleventh and Thirteenth streets, including cost of necessary instruments for receiving alarms and connecting said house with fire-alarm headquarters, \$55,000.

The amendment was agreed to.

The next amendment was, on page 75, after line 13, to insert:

For house, site, and furniture for a truck company, to be located in the northeast section of the city, in the vicinity of Twelfth and H streets NE., including cost of necessary instruments for receiving alarms and connecting said house with fire-alarm headquarters, \$37,000.

The amendment was agreed to.

The next amendment was, on page 75, line 24, to increase the total appropriation for increase of fire department from \$113,750 to \$210,750.

The amendment was agreed to.

The next amendment was, under the head of "Health Department," on page 76, line 3, before the word "dollars," to strike out "three thousand five hundred" and insert "four thousand;" and in the same line, after the word "dollars," to insert "assistant health officer, who shall be a physician, and during the absence or disability of the health officer shall act as health officer and discharge the duties incident to that position, \$2,500;" in line 8, before the word "dollars," to strike out "two hundred" and insert "five hundred;" in line 9, before the word "clerks," to strike out "four" and insert "five;" in line 11, before the word "clerks," to strike out "two" and insert "three;" in line 12, before the word "dollars," to strike out "six hundred" and insert "seven hundred and twenty;" in line 15, after the word "each," to strike out "1 inspector, \$1,000," and insert "2 inspectors, at \$1,000 each;" in line 18, before the word "sanitary," to strike out "1 inspector, \$900," and insert "2 inspectors, at \$900 each;" on page 77, line 5, before the word "dollars," to strike out "forty" and insert "fifty;" in line 6, before the word "hundred," to strike out "two thousand four" and insert "three thousand six," so as to read:

For health officer, \$4,000; assistant health officer, who shall be a physician, and during the absence or disability of the health officer shall act as health officer and discharge the duties incident to that position, \$2,500; chief clerk and deputy health officer, \$2,500; clerk, \$1,400; 5 clerks, 2 of whom may act as sanitary and food inspectors, at \$1,200 each; 3 clerks, at \$1,000 each; clerk, \$720; chief inspector and deputy health officer, \$1,800; 15 sanitary and food inspectors, at \$1,200 each; 2 inspectors, at \$1,000 each; 2 inspectors, at \$900 each; sanitary and food inspector, who shall be a veterinary surgeon and act as inspector of live stock and dairy farms, \$1,200; 5 sanitary and food inspectors, who shall be veterinary surgeons, at \$1,000 each; and 5 sanitary and food inspectors, at \$900 each, to assist in the enforcement of the milk and pure-food laws and the regulations relating thereto; sanitary and food inspector, who shall also inspect dairy products and shall be a practical chemist, \$1,800; messenger and janitor, \$600; driver, \$540; pound master, \$1,500; and for laborers, at not exceeding \$50 per month, \$3,600.

Mr. GALLINGER. On page 76, line 13, after the word "dollars," I move to amend by inserting, "One assistant chief inspector, \$1,600."

The amendment to the amendment was agreed to.

Mr. GALLINGER. The word "fifteen" should be stricken out, at the end of the line, and "fourteen" inserted.

The SECRETARY. In line 13, after the word "dollars," strike out "fifteen," the last word in the line, and insert "fourteen," so as to read:

Fourteen sanitary and food inspectors.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 77, line 7, to increase the total appropriation for the force of the health department from \$53,740 to \$62,460.

Mr. GALLINGER. Let the total be changed to \$62,800.

The SECRETARY. On page 77, line 7, change the total to read "\$62,800."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 77, line 17, after the date "1907," to insert "and an act to provide for registration of all cases of tuberculosis in the District of Columbia, for free examination of sputum in suspected cases, and for preventing the spread of tuberculosis in said District, approved May 13, 1908;" and on page 78, line 5, before the word "thousand," to strike out "twenty-six" and insert "thirty," so as to make the clause read:

For the enforcement of the provisions of an act to prevent the spread of contagious diseases in the District of Columbia, approved March 3, 1897, and an act for the prevention of scarlet fever, diphtheria, measles, whooping cough, chicken pox, epidemic cerebro-spinal meningitis, and typhoid fever in the District of Columbia, approved February 9, 1907, and an act to provide for registration of all cases of tuberculosis in the District of Columbia, for free examination of sputum in suspected cases, and for preventing the spread of tuberculosis in said District, approved May 13, 1908, under the direction of the health officer of said District, including salaries or compensation for personal services when ordered in writing by the commissioners and necessary for the enforcement and execution of said acts, purchase and maintenance of necessary horses, wagons, and harness, rent of stables, purchase of reference books and medical journals, and maintenance of quarantine station and smallpox hospital, \$30,000.

The amendment was agreed to.

The next amendment was, in the item for miscellaneous items for health department, on page 78, line 18, to increase the appropriation for the enforcement of the provisions of an act to provide for the drainage of lots in the District of Columbia, approved May 19, 1896, etc., from \$3,000 to \$5,000.

The amendment was agreed to.

The next amendment was, on page 79, after line 5, to strike out: "For the necessary traveling expenses of sanitary and food inspectors while traveling outside of the District of Columbia for the purpose of inspecting dairy farms, milk, and other dairy products, \$3,000, or so much thereof as may be necessary," and to insert:

For allotments to the health officer, and assistant health officer, medical inspector in charge of contagious-disease service, and inspectors assigned to the inspection of dairy farms, for the maintenance of horse and vehicle, or motor vehicle, for use in the discharge of his official duties, not to exceed \$365 per annum, and for necessary traveling expenses, including horse hire, incident to the inspection of dairy farms, \$6,000, or so much thereof as may be necessary.

Mr. JOHNSTON. I should like to ask the Senator in charge of the bill what the word "allotments" means in line 11.

Mr. GALLINGER. I suppose it means that the \$6,000 will be allotted to these different officials when they incur expense in traveling, in the inspection of dairy farms, the investigation of contagious diseases, and so forth. We make the appropriation a lump sum, and put it in the hands of the officials to allot that amount under conditions that may arise.

Mr. JOHNSTON. The Senator will observe that line 16 reads:

And for necessary traveling expenses, including horse hire, incident to the inspection of dairy farms.

That would seem to be included above.

Mr. GALLINGER. My attention had not been called to that before. It is an amendment that was put in at the instance of the commissioners, and it seemed proper that they should have this amount, but the phraseology of the amendment I did not examine with care, I will say to the Senator. I think his criticism is well grounded. Let the amendment be passed over for the present, and we will look it over.

The VICE-PRESIDENT. The amendment will be passed over.

Mr. CULBERSON. Before it is passed over I should like to ask the Senator in charge of the bill if it is really intended to appropriate \$6,000 a year for necessary traveling expenses, including horse hire, incident to the inspection of dairy farms for the District of Columbia. Is that really the purpose?

Mr. GALLINGER. That is the purpose beyond a doubt. The House allowed \$3,000, and it was represented to the committee that it was wholly inadequate for them to make these necessary inspections with that amount of money. I think they had a deficiency last year. So we increased it. Perhaps we have made it too large, but that was the amount suggested.

Mr. CULBERSON. The House provision which is stricken out reads:

For the necessary traveling expenses of sanitary and food inspectors while traveling outside of the District of Columbia for the purpose of inspecting dairy farms, milk, and other dairy products, \$3,000, or so much thereof as may be necessary.

The amendment to which the Senator from Alabama called attention reads:

For allotments to the health officer, and assistant health officer, medical inspector in charge of contagious disease service, and inspectors assigned to the inspection of dairy farms, for the maintenance of horse and vehicle, or motor vehicle, for use in the discharge of his official duties, not to exceed \$365 per annum, and for necessary traveling expenses, including horse hire, incident to the inspection of dairy farms, \$6,000, or so much thereof as may be necessary.

Is that applied for the inspection of dairy farms in the District of Columbia, or is this large amount of money given to enable these people to travel about over the country and inspect dairy farms wherever they see proper?

Mr. GALLINGER. They inspect dairy farms, not only in the District of Columbia, but in the States of Virginia, Maryland, and New York, in all cases where milk and cream are sent into the District of Columbia. These inspectors go at certain times to see what dairy farms are kept in proper condition. There is a note here of the health officer, which I will read in this connection:

NOTE (by health officer).—The health officer now receives an allowance of \$365 for the maintenance of horse and vehicle for his official use, payable from the contingent fund. The inspector in charge of contagious disease service receives a like allowance for enabling him to provide such transportation as is necessary to the discharge of his official duties. He provides therewith an automobile. Each of the inspectors of dairy farms now in the service receives an allowance of \$365 per annum, payable in three instances from the appropriation for necessary traveling expenses of inspectors outside of the District of Columbia, and in three other instances \$255.50 from appropriation for traveling expenses, and \$109.50 from the contingent fund. The allowance from the contingent fund is believed to be an equitable charge, representing the cost of transportation within the District for the inspection of dairy farms.

In view of the fact that question has been raised as to the propriety of making such allowances with express authority, the matter is submitted in its present form. The difference between the amount expended by way of allowance, covered by the preceding paragraph, and the total amount of the appropriation is needed for the inspection of the dairy farms that are not within driving distance of any base of operations that may be established by the health department for any of its inspectors. This difference would be expended for railroad fare, board bills, and horse hire when the horses and vehicles were needed to convey inspectors from the railroad station to the dairy farms.

This appropriation has been limited heretofore to the cost of traveling outside the District of Columbia, the traveling expenses of the three inspectors who work partly within the District being paid in part from this appropriation and in part by the allotment for the contingent expenses of the health office. Nothing is gained by the division of the cost of this service between two funds, and the method herein proposed represents, it is believed, the best administration.

Mr. JOHNSTON. I want to say to the Senator that under my construction of this paragraph the result would be that the health officer, the assistant health officer, the medical inspector in charge of the contagious-disease service, and inspectors assigned to the inspection of dairy farms would each get \$365 additional compensation. Then the clause goes on to provide:

And for necessary traveling expenses, including horse hire, incident to the inspection of dairy farms, \$6,000, or so much thereof as may be necessary.

Being so framed, this provision would give each of these officials \$365 in addition to the salaries provided in this bill, and the balance of \$6,000 would be for horse hire.

Mr. GALLINGER. I find in the Book of Estimates a different paragraph. I had an impression that a paragraph that is inserted came in a letter from the commissioners later than the estimate. I think the item in the Book of Estimates is a general item. I will read it, if the Senator will give me his attention. It is as follows:

For allotments to the health officer, and assistant health officer, medical inspector in charge of contagious-disease service, and each of 10 inspectors assigned to the inspection of dairy farms, for the maintenance of horse and vehicle, or motor vehicle, for use in the discharge of his official duties, not to exceed \$365 per annum, and for necessary traveling expenses, including horse hire, incident to the inspection of dairy farms.

Mr. JOHNSTON. That is the exact language of the amendment.

Mr. GALLINGER. Is it? I thought it was different.

Mr. JOHNSTON. I think it is word for word the same.

Mr. GALLINGER. What suggestion does the Senator desire to make? If it is allowed to remain in the bill, it will go to conference, and it can easily be adjusted there.

Mr. JOHNSTON. I suggest that we adopt the language used by the House and increase the appropriation, if that is desired.

Mr. GALLINGER. The Senator will recall that heretofore the allowance has been made from two funds. There has been some question about it, and I have an impression that the House language ought to be changed, to some extent, at least. I feel sure that the conferees can readily adjust it if the language now in the bill is allowed to remain, but still, if the Senator has an amendment to offer, I shall not resist it.

Mr. JOHNSTON. I ask that it be passed over for the present. I will prepare an amendment.

The VICE-PRESIDENT. The amendment will be passed over.

Mr. CULBERSON. I move to amend the amendment by striking out "six" and inserting "three," so as to correspond to the amount as passed by the House.

The VICE-PRESIDENT. Does the Senator from Alabama withdraw his request that the amendment be passed over?

Mr. JOHNSTON. Yes; certainly.

Mr. GALLINGER. Mr. President, of course the Senator from Texas need not move that amendment. The question will be upon agreeing to the amendment the Senate has put in, and, if that is rejected, of course the House provision will stand.

Mr. CULBERSON. No; the House provision is entirely different from the Senate provision. It includes different purposes. I want to have the "six" changed to "three" in the Senate, even if the amendment should prevail.

The VICE-PRESIDENT. The amendment to the amendment proposed by the Senator from Texas will be stated.

The SECRETARY. On page 79, line 18, it is proposed to amend the amendment of the committee by striking out "six" and inserting "three," so as to make the amendment read:

For allotments to the health officer, and assistant health officer, medical inspector in charge of contagious disease service, and inspectors assigned to the inspection of dairy farms, for the maintenance of horse and vehicle, or motor vehicle, for use in the discharge of his official duties, not to exceed \$365 per annum, and for necessary traveling expenses, including horse hire, incident to the inspection of dairy farms, \$3,000, or so much thereof as may be necessary.

The VICE-PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. JOHNSTON. I now ask that the paragraph be passed over.

The VICE-PRESIDENT. The Senator from Alabama asks that the amendment as amended be passed over. Is there objection? The Chair hears none, and that order is made.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 79, after line 19, to insert:

For the maintenance of an additional pound wagon, including compensation for personal services when ordered in writing by the commissioners and necessary for the maintenance of said wagon, and all other extra expenses whatsoever connected therewith, \$5,000, or so much thereof as may be necessary.

Mr. GALLINGER. Mr. President, I move to amend the amendment by striking out "five," in line 24, and inserting "one," so that it will read "\$1,000."

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 79, line 24, after the word "there-with," it is proposed to amend the amendment of the committee by striking out "five" and inserting "one," so as to make the amendment read:

For the maintenance of an additional pound wagon, including compensation for personal services when ordered in writing by the commissioners and necessary for the maintenance of said wagon, and all other extra expenses whatsoever connected therewith, \$1,000, or so much thereof as may be necessary.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Courts," on page 80, line 18, after the word "officer," to insert "who is hereby authorized to act as clerk in the absence of that officer;" in line 22, after the word "dollars," to insert "deputy marshal, \$1,000;" and in line 23, before the word "thousand," to strike out "nine" and insert "ten," so as to make the clause read:

Juvenile court: For judge, \$3,000; clerk, \$2,000; chief probation officer, who is hereby authorized to act as clerk in the absence of that officer, \$1,500; probation officer, \$1,200; deputy marshal, \$1,000; deputy marshal, \$1,000; janitor, \$540; in all, \$10,240.

Mr. GALLINGER. In line 18, after the word "dollars," I move to insert "deputy clerk, \$1,200."

The VICE-PRESIDENT. The amendment proposed by the Senator from New Hampshire will be stated.

The SECRETARY. On page 80, line 18, after the word "dollars," it is proposed to insert "deputy clerk, \$1,200."

Mr. CULBERSON. I do not see any use for that if the other provisions of the clause remain in the bill, because it is provided that the chief probation officer is authorized to act as clerk in the absence of that officer.

Mr. GALLINGER. I rose to move to strike out the words in italics—"who is hereby authorized to act as clerk in the absence of that officer;" and I move that amendment now.

Mr. CULBERSON. What necessity is there for having an additional officer?

Mr. GALLINGER. If the Senator knew the pressure there is to have additional help in the juvenile court, he would understand that we have done remarkably well in making the few changes that we have. If the Senator will look on line 22, he will observe that a deputy marshal is provided for at \$1,000. I will say to the Senator that I propose moving to strike that out, so that it will simply give a clerk instead of a deputy marshal.

Mr. CULBERSON. I wanted to know the reason which actuated the committee in moving this amendment, Mr. President.

Mr. GALLINGER. It is simply upon the urgent representations of the judge that he needs another clerk. He said he would dispense with the deputy marshal provided for in line 22 if he could get a clerk; that he needed a clerk very much more.

Mr. CULBERSON. Then the provision in regard to the deputy marshal will be stricken out?

Mr. GALLINGER. Yes; that will be stricken out.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from New Hampshire [Mr. GALLINGER], in line 18, to insert "deputy clerk, \$1,200."

The amendment was agreed to.

The VICE-PRESIDENT. The question now is on the amendment reported by the committee, which will be stated.

The SECRETARY. On page 80, line 18, after the word "officer," it is proposed to insert "who is hereby authorized to act as clerk in the absence of that officer."

The amendment was rejected.

The VICE-PRESIDENT. The question is on the amendment reported by the committee, in line 22, which will be stated.

The SECRETARY. On page 80, line 22, after the word "dollars," it is proposed to insert "deputy marshal, \$1,000."

The amendment was rejected.

Mr. GALLINGER. Now, I move that the words "who is hereby authorized to act as clerk in the absence of that officer," be inserted after the words "deputy clerk, \$1,200," which were inserted on my motion.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 80, line 18, after the amendment inserting the words "deputy clerk, \$1,200," it is proposed to insert "who is hereby authorized to act as clerk in the absence of that officer."

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GALLINGER. The total should be changed on lines 23 and 24, page 80, so as to read "\$10,440."

The VICE-PRESIDENT. That change will be made in the absence of objection.

Mr. GALLINGER. Mr. President, we have been in session a good while, and, if it be agreeable to other Senators, I suggest that we discontinue the further consideration of the bill for the day. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Friday, February 5, 1909, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, February 4, 1909.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of yesterday was read and approved.

VALDEZ, MARSHALL PASS AND NORTHERN RAILROAD.

Mr. REYNOLDS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25823) to amend an act entitled "An act to extend the time for the completion of the Valdez, Marshall Pass and Northern Railroad, and for other purposes," approved February 21, 1907.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to discharge the Committee of the Whole House on the state of the Union from further consideration of the following bill and to consider the same in the House. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BONYNGE. Mr. Speaker, for the present I shall have to object.

The SPEAKER. The gentleman from Colorado objects.

ALASKA PACIFIC RAILWAY AND TERMINAL COMPANY.

Mr. COLE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25553) for the relief of the Alaska Pacific Railway and Terminal Company.

The SPEAKER. The gentleman from Ohio asks unanimous consent to discharge the Committee of the Whole House on the state of the Union from the further consideration of the following bill, and to consider the same in the House.

The Clerk will report the title of the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. HULL of Iowa. Mr. Speaker, I shall have to reserve the right to object—

Mr. BONYNGE. I desire to object to that bill also, Mr. Speaker.

The SPEAKER. The gentleman from Colorado objects.

BRIDGE ACROSS CONDADO BAY, SAN JUAN, P. R.

Mr. LARRINAGA. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce be discharged from the further consideration of the bill (H. R. 26838) to authorize Behn Brothers, of San Juan, P. R., to construct a bridge across a portion of the Condado Bay, at the eastern extremity of San Juan Island, Porto Rico, and that the same be referred to the Committee on Insular Affairs.

The SPEAKER. The Commissioner from Porto Rico asks unanimous consent for a change of reference of the following bill, of which the Clerk will report the title, from the Committee on Interstate and Foreign Commerce to the Committee on Insular Affairs.

The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, what is the request?

The SPEAKER. He asks unanimous consent to change the reference of this bill from the Committee on Interstate and Foreign Commerce to the Committee on Insular Affairs. Is there objection?

There was no objection.

ENROLLED BILLS SIGNED.

Mr. WILSON of Illinois, from the Committee on Enrolled bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 16015. An act for the relief of Lafayette L. McKnight;

H. R. 20171. An act to correct the military record of George H. Tracy;

H. R. 10752. An act to complete the military record of Adolphus Erwin Wells;

H. R. 2952. An act for the relief of Chaplain Henry Swift, Thirteenth Infantry, U. S. Army; and

H. R. 11460. An act to remove the charge of desertion from the military record of William H. Houck.

BRIDGES ACROSS ROCK RIVER, ILLINOIS.

Mr. PRINCE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 26482) to authorize the construction of two bridges across Rock River, State of Illinois.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Rock River Traction Company, a corporation organized under the laws of the State of Illinois, its successors and assigns, be, and they are hereby, authorized to construct two bridges across Rock River; the first bridge at a point between the west line of section 30 and the west line of section 14 in township 20 north, range 5 east, in the State of Illinois; the second bridge at a point between the east line of section 30 and the west line of section 23 in township 21 north, range 7 east, in the State of Illinois. Said bridges to be built across Rock River, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is expressly reserved.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

ADVANCE IN FREIGHT RATES.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to have printed in the RECORD the report of the Interstate Commerce Commission in reply to a resolution asking for information as to the advance of freight rates throughout the country. I understand the report is on the Speaker's desk.

The SPEAKER. The gentleman from Illinois asks unanimous consent for printing in the RECORD the report from the Interstate Commerce Commission in relation to an inquiry for information as to the advanced freight rates throughout the United States. Is there objection?

Mr. MANN. Does the gentleman desire this to dispose of the matter, or will he ask to have it sent to a committee?

Mr. MADDEN. I understand it will be printed as a public document. I want it printed in the RECORD for the information of the House.

Mr. MANN. I have no objection to its being printed in the RECORD, and that was the reason of my inquiry whether, after being printed in the RECORD, it would be referred to the committee—naturally to the Committee on Interstate and Foreign Commerce, I assume.

The SPEAKER. It would be referred and printed as a public document (H. Doc. No. 1412), and the gentleman's request is that it be printed in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The report is as follows:

INTERSTATE COMMERCE COMMISSION, Washington, February 4, 1909.

To the House of Representatives:

On January 15 the House of Representatives adopted the following resolution:

"Resolved, That the Interstate Commerce Commission be required to inform the House, as soon as may be, what advances have occurred in freight rates in different parts of the United States since the passage of the Hepburn amendment, June 29, 1906; whether such advances have been occasioned by an advance in the tariff rate or by a change in classification or by charging for some privilege which was formerly accorded free."

In response thereto the Interstate Commerce Commission has the honor to report:

Between July 1, 1906, and January 15, 1909, nearly 600,000 schedules of rates and classifications and supplements thereto, varying in size from 1 page to 700 pages, were filed with this commission. No record has been kept of the number of pages contained in schedules as they were filed. Such record has now been kept for one week, and it is found that the schedules and supplements average 5 pages each. This is believed to be a fair average for the period above mentioned, and, based thereon, it is seen that the schedules filed within that period contained approximately 3,000,000 pages. The number of rate items is conservatively estimated to be about 50 per page, and in order to determine accurately what advances have been effected by such schedules

it would be necessary to examine and compare 150,000,000 rate items, with a like number of items filed previous to July 1, 1906.

This estimate does not take into account changes which have been effected in the absence of through joint rates by changes in proportional rates, basing rates, or local rates which are used in the absence of joint through rates for making through rates in combination with other similar rates. For example, a single-page schedule naming proportional rates from New York and other Atlantic seaboard cities to Chicago, Peoria, East St. Louis, and other Mississippi River crossings and applicable to traffic destined to points west of the Mississippi River, if changed, would affect through rates to thousands of destinations west of the Mississippi River. In instances of this kind—and they are numerous—the present rates would have to be determined by combining the proportional rates east of the base points with the local rates west thereof, and before comparison could be made, former rates would have to be made up in like manner.

A schedule of 90 pages recently filed contains specific rates on 3,800 separate articles. There are two ratings, one applicable to carload quantities and one to less than carload quantities, for most of these articles. The rates apply from ten groups of origin, embracing a large number of the States east of the Mississippi River. This schedule contains approximately 60,000 separate specific rates, and in order to determine what changes are effected thereby comparison would have to be made with a like number of items published in previous schedules. This schedule was not of exceptional size, as many schedules contain between 200 and 700 pages.

On a previous occasion the schedules filed upon a single day were examined and compared with corresponding rates previously on file. Eight rate clerks were engaged upon this work for a period of seven days and were unable within that time to complete the check of the single day's filing. The number of schedules filed on that day was considerably below the average daily filing. The number of pages so examined did not exceed 2,000, while the present average number of pages filed per day is about 3,800.

It will therefore be seen that it is impossible, with the present force, to undertake such check of rates as would be necessary in order to secure in complete form the information requested, and that even if a very large number of additional clerks were employed for that purpose it would probably be a work of several years. Experienced rate clerks would be essential to intelligent work in that line, and even if they were available, which they are not, so many changes would be effected in rates during the time within which statement was being prepared that it would not accurately represent conditions at the time of its completion.

Many important advances in rates have been made since the passage of the Hepburn amendment. We have not been able to keep a record of the advances, but, in a general way, the following are noted:

The different freight association territories hereinafter referred to are, in a general way, defined as follows:

Central Freight Association territory is that territory lying west of Buffalo and Pittsburg, north of the Ohio River, and east of Chicago and St. Louis.

Southeastern Freight Association territory is that territory lying south of the Ohio and east of the Mississippi rivers.

Trunk Line territory is that territory lying north of the Ohio River, east of Buffalo and Pittsburg, and west of the Hudson River.

Transcontinental rates apply between points on the Pacific coast and points east of the Missouri and Mississippi rivers. Under these rates it is common to blanket a large territory on the east. For example, many of these rates apply alike from or to all points east of Chicago and north of the Ohio River.

Official classification territory includes all the territory east of Chicago and St. Louis and north of the Ohio River.

Southern classification territory includes the territory south and east of the Ohio and Mississippi rivers.

Western classification territory includes all the territory west of the official and southern classification territories.

COAL.

Rates have been advanced 5 cents per ton from the Pennsylvania, Maryland, and West Virginia fields to Central Freight Association territory and from the Kentucky, Tennessee, and Alabama fields to points in Southeastern Freight Association territory.

PIG IRON.

Rates have been advanced 25 cents per ton from furnace points in Southeastern Freight Association territory to points in Central Freight Association and trunk-line territories.

CAST-IRON PIPE.

Rates have been advanced 25 cents per ton from foundry points in Southeastern Freight Association territory to points in Central Freight Association and trunk-line territories.

IRON AND STEEL ARTICLES.

Rates subject to official classification have been generally advanced by the withdrawal of commodity rates and the application in lieu thereof of higher class rates. These advances are not uniform to all points affected.

LUMBER.

Rates from Chicago and points basing thereon to trunk-line territory have been generally advanced by withdrawal of commodity rates and the application in lieu thereof of higher class rates. This advance was not uniform as to all points affected.

Rates from producing points in the Pacific Northwest to all destinations were advanced on November 1, 1907. After full hearing on complaint, this commission condemned the advance made from the producing points to points lying west of a line drawn from Pembina, N. Dak., through Omaha and Kansas City to Port Arthur, Tex. An increase of 5 cents per 100 pounds was permitted to points lying east of that line.

GRAIN AND GRAIN PRODUCTS.

Rates have been advanced 2 cents per 100 pounds from Ohio and Mississippi River crossings to Southeastern Freight Association territory. Rates from northern and western producing points are based upon the Ohio and Mississippi River crossing rates, and therefore this advance resulted in an advance from all that territory.

Rates were advanced 2 cents per 100 pounds from Chicago to New York in May, 1907. The proportional rate applicable from Chicago on shipments from points west of the Mississippi River was reduced 1½ cents per 100 pounds on wheat and corn, and one-half cent per 100 pounds on rye, oats, and barley in May, 1908.

Rates from the Missouri River to the Mississippi River crossings and to Chicago were increased 1½ cents per 100 pounds in July, 1907.

PACKING-HOUSE PRODUCTS.

Rates have been advanced 3 cents per 100 pounds from Ohio and Mississippi River crossings to Southeastern Freight Association territory. Rates from northern and western producing points are based upon the Ohio and Mississippi River rates, and therefore corresponding advances result in rates from those producing points.

SUGAR.

Rates have been advanced 2 cents per 100 pounds from New York and New Orleans and from points in trunk-line territory, rates from which are made with relation to the New York rates, to points in Central Freight Association territory and to Chicago and to St. Paul and to points in the Northwest, the rates to which are made with relation to the Chicago or St. Paul rates.

TO TEXAS POINTS.

Rates have been advanced from Kansas City and St. Louis and points basing thereon, which embraces the entire territory east of the Mississippi River and a large number of points west thereof, to Texas points in sums ranging from 4 cents per 100 pounds on one class or article to 10 cents per 100 pounds on another class or article.

TRANSCONTINENTAL RATES.

These rates have been advanced both eastbound and westbound between points in the Atlantic seaboard territory and States east of the Mississippi River on the one hand, and terminal points on the Pacific coast and intermediate points, the rates to which are made with relation thereto on the other hand, in sums ranging from 3 per cent on one article to 60 per cent on another article. The heaviest advance was in eastbound rates.

CLASSIFICATIONS.

Many advances in rates have been effected by changes in classification ratings and without changes in the specific scale of rates. Many changes in required carload minimum weights have been made. These do not necessarily increase the rates upon the commodities to which they apply unless the minimum weight has been fixed so high as to make it impossible to load it into the car.

OTHER CHANGES.

The tariffs of to-day contain many listed charges for services which would not be found in the tariffs in effect immediately prior to the Hepburn amendment. They, however, can not be said to be additional or increased charges, because now the tariffs contain lawful authority and provision for many services and charges which formerly were rendered without specific tariff authority therefor. The tariffs now contain many provisions for assessment and absorption of switching charges, which simply continue former practices for which provision was not made in the tariffs. The same is no doubt true as to many transit privileges.

EXPRESS RATES.

Express companies were first brought under the act to regulate commerce by the Hepburn amendment, and this necessitated an entire reconstruction of their rate schedules. None were on file with the commission prior to that time. No general advances in the charges of express companies have been noted except between various points in New England territory, where advances have been made ranging from 10 cents to 25 cents per 100 pounds.

PASSENGER FARES.

There have been no general increases in passenger fares; the tendency has been in the opposite direction. Reductions in state fares have resulted in a general lowering of interstate passenger rates.

The general increases in rates to Southeastern Freight Association territory and the increase in the rates to southwestern territory have been made the subject of complaint to this commission, and these complaints are in course of investigation, several hearings on same having been had.

As stated in our annual report recently submitted to the Congress, the commission, on April 15, 1908, promulgated a ruling that tariffs applying on traffic exported to or imported from foreign countries not adjacent to the United States must, in accordance with the requirements of the law, show the rates, fares, and charges of the inland carriers, subject to the act for the transportation in the United States to the port and from the port.

Rather than to conform to this requirement, the rail carriers in the United States ordinarily known as "the transcontinental lines," withdrew, effective November 1, 1908, all their through import and export rates via the Pacific ports, leaving their domestic rates to and from the ports to apply to the inland carriage of such export and import traffic.

Presumably this resulted in increased rates upon such traffic as has been subsequently imported or exported through those ports, but we have no means of measuring the advance, as the tariffs did not disclose, and we were not informed how the former rates were divided between the rail carriers in this country and the ocean steamship lines, and we have no means of knowing now what are the charges of the steamship lines.

Very respectfully,

MARTIN A. KNAPP, *Chairman.*

AGRICULTURAL APPROPRIATION BILL.

Mr. SCOTT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the agricultural appropriation bill (H. R. 27053).

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. FOSTER of Vermont in the chair.

The Clerk read as follows:

For rent of offices and repairs to buildings now completed and located outside of the District of Columbia and care and preservation of grounds, including construction of sidewalks and curbing on public streets abutting Weather Bureau grounds, \$80,000.

Mr. MANN. Mr. Chairman, I reserve a point of order. I notice this item carried in the appropriation—for the construction of sidewalks and curbing on public streets abutting the Weather Bureau grounds.

It has not been the custom of the General Government to pay for curbing in front of public grounds, as I have found to my bitter regret on various occasions, and I would like to inquire of the gentleman what this is for. I may personally have no objection to it.

Mr. SCOTT. We asked the Chief of the Weather Bureau why he included the language in the estimate, and he stated, as I recall it, that the sidewalks and curbing around the Weather Bureau building in Washington are getting out of repair.

Mr. MANN. Is this for the city of Washington?

Mr. SCOTT. For the city of Washington.

Mr. MANN. The item covers buildings outside. Is this construction of sidewalk and curbing on public streets only for the Weather Bureau grounds in Washington?

Mr. SCOTT. It is only for Washington, according to my recollection.

Mr. MANN. No; it says:

Buildings now completed and located outside of the District of Columbia, and care and preservation of grounds.

Mr. SCOTT. The impression I gained from the statement made before the committee by the chief of the bureau was that he had no expectation of using any of the money outside of the city of Washington for this purpose.

Mr. MANN. I do not see how he could use it inside the District of Columbia. It says:

For rent of offices and repairs to buildings now completed and located outside of the District of Columbia, and care and preservation of grounds, including construction of sidewalks and curbing on public streets abutting Weather Bureau grounds.

I think that would only apply to buildings outside of the District of Columbia.

Mr. SCOTT. The language undoubtedly bears that construction. I was quoting my recollection of what the Chief of the Weather Bureau said he wanted the money for.

Mr. MANN. Very likely that is what he desired it for.

Mr. SCOTT. But even if it was wanted for Weather Bureau stations outside of the District of Columbia, I do not see why it ought not to be given. The custom in all the cities I know of is for property owners to keep the sidewalks in repair.

Mr. MANN. I think they ought to build the sidewalks.

Mr. SCOTT. In the city where I live we have to keep the curbing in repair. I do not know whether that is the custom in other places or not.

Mr. MANN. The curbing is usually a part of the pavement.

Mr. LIVINGSTON. I want to call the attention of the gentleman to the fact that the word "bureau" in this paragraph is singular.

Mr. MANN. The words "Weather Bureau grounds" would include grounds anywhere in the United States.

Mr. SCOTT. In looking over the language I think it would apply to bureau grounds not in the city. I think the plural goes to the word "grounds."

Mr. MANN. Would the gentleman consent to strike out the word "curbing?" In other words, I do not undertake to say what the policy of the Government should be, but it ought to be the same policy in regard to the Weather Bureau as to other public buildings.

Mr. SCOTT. I would consent to an amendment striking out the words "and curbing," if the gentleman desires to offer it.

Mr. MANN. Then, I withdraw the point of order.

Mr. MADDEN. Mr. Chairman, I desire to reserve the point of order.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] withdraws the point of order and the gentleman from Illinois [Mr. MADDEN] renews it.

Mr. MADDEN. Mr. Chairman, I do so for the purpose of getting the gentleman in charge of the bill to agree to an amendment striking out any language of this appropriation that may apply to the District of Columbia.

Mr. MANN. It does not apply to the District of Columbia.

Mr. SCOTT. I do not believe, on reconsideration, that any of it would apply to the District.

Mr. MANN. It expressly provides for outside of the District of Columbia.

Mr. MADDEN. That is all right.

Mr. SCOTT. Mr. Chairman, I ask for a vote on the amendment of the gentleman from Illinois.

Mr. MANN. The point of order is withdrawn and I offer an amendment to strike out in line 22, the words "and curbing."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 22, strike out the words "and curbing."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For official traveling expenses, \$22,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. Will the gentleman inform us how this money for traveling expenses is expended and if there is any limitation upon the per diem traveling expenses?

Mr. SCOTT. There is no limitation except the money shall be paid upon sworn vouchers, which are handed in by the agents of the bureau who do the traveling.

Mr. MANN. It is only the actual expenses?

Mr. SCOTT. It is only the actual expenses.

The CHAIRMAN. Unless objection is heard, the pro forma amendment will be considered as withdrawn.

Mr. EDWARDS of Georgia. Who audits the accounts?

Mr. SCOTT. They are audited first by the accountant of the Weather Bureau, and from him they go to the accountant in the department, and from him they go to the Auditor for the State and other Departments.

Mr. MADDEN. Actual expenses mean what?

Mr. SCOTT. It means actual expenses.

Mr. MADDEN. Is there any limit placed on the person expending the money as to what the actual expenses are to be?

Mr. SCOTT. I do not think there is any limit in the law, but I wish to assure the gentleman from Illinois that in my judgment there is no department of the Government where a closer accounting is kept than in this department and where those who travel at the expense of the Government are more carefully required to keep their expenses within reasonable limits.

Mr. MADDEN. Does not the gentleman think there ought to be a limit placed as a maximum?

Mr. SCOTT. Is there a limit placed in any other department, does the gentleman know?

Mr. MADDEN. Oh, yes; I think there is—

Mr. MANN. This does not cover per diem at all.

Mr. SCOTT. There is no per diem in this. The man who travels is obliged to keep an account, just as a commercial man keeps an account with his house, and to swear to it when he hands in his account at the end of the month.

Mr. MADDEN. Most of the business houses when they send a man out on the road limit the amount he can expend in any one day.

Mr. SCOTT. I think it is very clearly understood in a general way among the employees of the department how much they shall expend, and I do not believe they offend against economy in that particular.

Mr. MADDEN. Would it not be a good plan to limit them as to how far they could go?

Mr. SCOTT. I doubt whether that would be advisable, for the reason that some of the employees of the bureau may require a greater allowance for traveling expenses than others.

Mr. HEPBURN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HEPBURN. I desire to know what is now before the committee.

The CHAIRMAN. A motion to strike out the last word.

Mr. HEPBURN. I noticed a triangular contest between those gentlemen over there in whispers, and I thought perhaps the committee ought to be in secret session.

The CHAIRMAN. The committee will be in order, and gentlemen desiring to converse will retire to the cloakrooms.

Mr. MADDEN. Then it is understood in this bureau there are several degrees of expenses that may be incurred—that a man who has a higher classification in the service could incur higher expenses. Is that it?

Mr. SCOTT. For example, the chief of a bureau in traveling throughout the country would be expected to stop at higher-class hotels than some minor employee who might have occasion to go from one part of the country to the other.

Mr. MADDEN. Then what might be considered reasonable expenses for one person might be considered extravagant in the other, according to the view of the gentleman in charge of this bill.

Mr. SCOTT. That is the view I take of it.

Mr. MADDEN. It seems to me that any person who might be sent as a messenger for the Government in connection with the work of this department would be considered equally qualified to perform the duties of any other man who might be sent on a similar message; and that being the case they each would have similar rights of expenditure, and there ought not to be a minimum for the one and a maximum for the other.

Mr. SCOTT. Well, I have examined the accounting system in this department with a great deal of care. I have gone over a good many of these expense vouchers, and have investigated the matter closely. I have not yet seen any occasion for adopting either a maximum or minimum limit of expenditure.

Mr. MADDEN. The gentleman having taken the pains to make a personal investigation into the accounting of the items which would naturally be vouchered under this appropriation, will he be good enough to say to the committee what the average expenditure per person is each day while traveling in his official capacity?

Mr. SCOTT. Well, they usually figure that from \$3 to \$5 a day, probably nearer \$5 than \$3, is the average traveling expense—not only in this bureau but in other bureaus of the department.

Mr. EDWARDS of Georgia and Mr. GAINES of West Virginia rose.

The CHAIRMAN. To whom does the gentleman from Kansas [Mr. Scott] yield?

Mr. SCOTT. I yield to the gentleman from Georgia [Mr. Edwards].

The CHAIRMAN. The gentleman's time has expired.

Mr. EDWARDS of Georgia. Mr. Chairman, I move to strike out the last two words. Will the gentleman in charge of the bill consent to this amendment, namely, to insert on line 24, after the word "for," the words "actual and necessary," so that the sentence will read—

For actual and necessary official traveling expenses, \$22,000.

Mr. SCOTT. Mr. Chairman, I prefer not to accept that amendment, for the reason that throughout this bill we have used the term "official traveling expenses." That is the term which has been construed by the accounting officers of the Government to mean exactly what the gentleman says, namely, actual and necessary official traveling expenses. The words which he offers to insert as an amendment are not necessary under the construction that has been placed on the present language by the accounting officers.

Mr. EDWARDS of Georgia. I respectfully submit that there could be official traveling expenses without being actual and necessary, and I think the amendment ought to be made, and I offer it.

The CHAIRMAN. The gentleman from Georgia [Mr. Edwards] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Line 24, on page 6, before the word "official," insert "actual and necessary."

Mr. SCOTT. Mr. Chairman, I hope that amendment will not prevail. The committee has made an honest effort to word this bill in the simplest possible language so that it may be clear and easily understood. We considered carefully the matter of the phraseology which should be used in covering the subject of traveling expenses, and were told by the accounting officer of the bureau, who is one of the most careful and efficient men in that capacity in the Government employ, I think, that the phrase "official traveling expenses" had been construed by the auditing officers of the Treasury Department as meaning only actual and necessary expenses. This being true, the amendment offered by the gentleman simply cumbers the bill with unnecessary phraseology, and I hope it will be voted down.

Mr. STAFFORD. If the phrase as now carried in the bill is construed in the language of the amendment offered by the gentleman from Georgia [Mr. Edwards], what objection can there be to inserting it? I wish to say, in addition, that the language as suggested in the amendment is the same phraseology as that carried in other appropriation bills.

Mr. SCOTT. The objection to inserting it is, first, that it is unnecessary; second, that we ought to keep the language of the bill harmonious and not be compelled to insert the words everywhere else where the term "official expenses" is used; and, third, that it adds words without adding meaning. I ask for a vote on the amendment.

Mr. GAINES of West Virginia. May I ask the gentleman a question bearing on this part of the bill? Do the words "official traveling expenses" include subsistence while traveling? I take it, from what has been said, that they do.

Mr. SCOTT. They do.

Mr. GAINES of West Virginia. I remember when I was connected at one time with the Department of Justice that the allowance for subsistence when traveling was limited. I do not know whether it is the law now in the Department of Justice or not, but some years ago the subsistence expenses were limited to \$4 a day. What is the reason that the limitation upon the traveling expenses has been taken out of the language of the agricultural appropriation bill when appropriating for travel?

Mr. LIVINGSTON. The Committee on Appropriations always put a limit on the expenses for travel in the bills they report from that committee.

Mr. GAINES of West Virginia. The gentleman from Georgia states that the Committee on Appropriations always puts in a

limit on the traveling expenses on the appropriation bills that come from that committee. I ask the gentleman in charge of this bill why such language is not included in the language of the agricultural appropriation bill?

Mr. SCOTT. Such a limitation never was included in the language of the agricultural appropriation bill; and I presume it was omitted because it was thought that the expense account was sufficiently guarded when the men paying it out were required to present itemized sworn vouchers.

Mr. STAFFORD. Would not the effect of putting a limitation, as is sometimes provided in other appropriation bills, result in the accounts for subsistence inclining toward the maximum rate rather than the actual amount?

Mr. GAINES of West Virginia. I can not see that it would so result. On a sworn statement of actual expenses all people do not put in the maximum amount. All gentlemen are supposed to be honest, and they would not put in the maximum.

Mr. STAFFORD. In many instances it has been shown that where a limit has been placed, many department officials consider that is what they are entitled to, and they enter their expenses at the maximum amount.

Mr. GAINES of West Virginia. But that is a distinctly wrong impression. It is not considered that the maximum amount is allowed.

Mr. SCOTT. I would like to call the attention of the gentleman from West Virginia to a comparatively recent impeachment trial in the Senate of the United States, where a certain federal judge was impeached; and, among other things, the charge was made that he had put in an expense account at the maximum amount, whereas his actual expenses were less than that amount. His defense was that the limitation in the appropriation bill fixed the amount for subsistence at such a figure, and he deemed that he was warranted in charging that amount whether his actual expenses were that much or not.

Mr. GAINES of West Virginia. But, Mr. Chairman, in the case of Judge Swayne, there were two considerations, which will be remembered. In the first place, his practice was deemed a very bad one; and in the second place, there was a considerable amount of difference of opinion as to whether the appropriation relating to the subsistence of federal judges was not intended by the Appropriations Committee and by Congress that they were to be allowed to charge that amount for their expenses.

I insist again that it is not the practice to charge the maximum amount for subsistence if the actual amount be less than that; and where any officer does put in a sworn account to the maximum amount when the actual expense was less than that he is liable to prosecution.

Mr. SCOTT. My judgment is, Mr. Chairman, that it would not be in the interest of economy to adopt this amendment, and I trust, therefore, that it will be voted down.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. GAINES of West Virginia. Mr. Chairman, I move to amend, in line 24, by inserting "for actual official traveling expenses and subsistence not exceeding the sum of \$4 per day."

Mr. MANN. They could not travel far on that.

Mr. GAINES of West Virginia. That does not cover the traveling.

Mr. SCOTT. I would like to have the amendment read from the desk.

The Clerk read as follows:

Page 6, line 24, before the word "official," insert "actual," and amend so it will read "actual official traveling expenses and subsistence, not exceeding the sum of \$4 per day."

Mr. SCOTT. I wish to reserve the point of order against the amendment; in the first place, because I believe it is legislation; and I reserve that point and speak to the merits of the amendment.

I wish to say that in my judgment this amendment would make it impossible for the Chief of the Weather Bureau to travel at all and have his expenses paid. The chief of a great government bureau as conspicuous as the Weather Bureau ought when he travels to travel as any Member of this House would travel. He ought to stop at good hotels, and in other ways maintain the position of dignity which should be held by any gentleman representing this Government in a high official capacity. That can not be done, as I think we can all testify, on \$4 a day. I do not believe, either, that the adoption of this amendment would tend to economy, because, in spite of what the gentleman from West Virginia says, it is my information that it is the universal practice, when such a limitation is placed upon traveling expenses, to construe the amount named as a minimum. I am assured that in a great deal of the trav-

eling done by the minor officials of the Weather Bureau the expenses amount to less than \$4 a day.

It seems to me, therefore, that this amendment would result in increasing rather than in diminishing this traveling-expense account, and I trust therefore, if it be held in order, that it will be voted down.

Mr. HULL of Iowa. Will the gentleman yield for a question?

Mr. SCOTT. Yes.

Mr. HULL of Iowa. Is this \$4 limitation intended to apply to transportation as well as subsistence?

Mr. SCOTT. The gentleman from West Virginia must answer that question.

Mr. GAINES of West Virginia. No; the language is not open to that interpretation. The limitation is plainly upon subsistence, and not traveling expenses, of course. It is actual traveling expenses, and subsistence not exceeding \$4 a day. I should be willing to increase the amount to \$6 a day, if the gentleman thinks so, but there ought to be a limitation.

Mr. SCOTT. I would ask for a ruling on the point of order.

The CHAIRMAN (Mr. OLMSTED). The gentleman will state his point of order.

Mr. SCOTT. That the proposition to amend this bill by fixing a maximum of subsistence is legislation, and therefore contrary to the rule.

Mr. GAINES of West Virginia. The remarks of the gentleman from Kansas show that this would result in a reduction of expenditure, and the language itself shows it to be a limitation, and therefore it is not obnoxious to the point of order.

The CHAIRMAN. The Chair would ask the gentleman from Kansas whether there is any authority of law for the payment of the traveling expenses provided in the bill?

Mr. SCOTT. Oh, undoubtedly there is the general authority of law to cover that point, but I do not believe there is any authority to fix a certain amount as subsistence in addition to traveling expenses.

The CHAIRMAN. The Chair will ask the gentleman from West Virginia whether the limitation in the amendment, the words "not exceeding the sum of \$4 per day," is intended to apply only to subsistence or to qualify also the word "expenses?"

Mr. GAINES of West Virginia. Clearly, it does not, Mr. Chairman. It is intimated by gentlemen around me that I do not understand the Chairman's question, and I admit I did not hear it very well. There is a great deal of conversation going on around me.

The CHAIRMAN. The Chair will ask the gentleman from West Virginia whether this limitation of \$4 a day is intended to apply to the two items?

Mr. GAINES of West Virginia. It does not. It applies only to subsistence, and not, of course, to the traveling expenses. That would appear very clearly.

The CHAIRMAN. The Chair is of opinion that unless there is some authority shown for the appropriation for subsistence the amendment in the present form is open to the point of order. If it were merely a limitation upon the appropriation for traveling expenses to a certain amount, the Chair would think it a limitation within the rule, as frequently construed; but it seems to separate the two items, and applies the limitation only to the matter of subsistence, for which latter item no authority of law has been shown. The Chair therefore sustains the point of order.

The Clerk read as follows:

For telephone rentals and for telegraphing, telephoning, and cabling reports and messages, rates to be fixed by the Secretary of Agriculture by agreements with the companies performing the service, \$260,000.

Mr. MORSE. Mr. Chairman, I move to strike out the last word. I should like to ask the chairman of the committee what rates are fixed for telephoning and telegraphing as between the Secretary and the company?

Mr. SCOTT. I do not recall at this moment what the rates are. That question did not come up in the hearings this year, because we had discussed it in previous years and had obtained the information. Just at this moment I can not recall.

Mr. MORSE. Are any reductions made to the Government?

Mr. SCOTT. Oh, the reductions are very great indeed. And I will say further, that the cost of telegraphing to this bureau is very much reduced by a code which is used, by means of which a message which ordinarily would require 20 or 30 words can be transmitted by the use of 3 or 4 words.

Mr. MORSE. Is there any law of the United States which prevents the Government securing special privileges from the telephone and telegraph companies?

Mr. SCOTT. I do not know of any, and I think there can be none, because undoubtedly the Government does get better rates

from the telegraph and telephone companies than any individual or organization that I know of is able to get.

Mr. MORSE. Is this sent out for a less sum than the Government rates, a cent a word?

Mr. SCOTT. I think it is for considerably less than the usual Government rates and less than the press rates.

Mr. EDWARDS of Georgia. Mr. Chairman, I move to strike out the last two words. I want to ask the gentleman from Kansas what the objection is in leaving the fixing of the rates to the chief of the bureau instead of to the Secretary of Agriculture?

Mr. SCOTT. The Secretary of Agriculture has supervision over the bureau. It is simply a branch of his department, and there does not seem to be any reason why that authority should not be invested in him.

Mr. EDWARDS of Georgia. Yes; he has supervision, but the chief of the bureau has direct charge of it and is closely in touch with it.

Mr. SCOTT. The gentleman will find, if he follows the bill through, that the Secretary of Agriculture is always named when some important executive act is to be performed.

Mr. EDWARDS of Georgia. I withdraw the pro forma amendment.

The Clerk read as follows:

For the maintenance and repair of Weather Bureau telegraph, telephone, and cable lines, \$4,200.

Mr. DRISCOLL. Mr. Chairman, I move to strike out the last word. I want to ask the gentleman from Kansas whether the Government owns any telegraph, telephone, or cable lines outside of the city of Washington?

Mr. SCOTT. Yes; the Government owns such lines at several points, chiefly along the edge of the continent, if I might use that expression. For instance, we have weather bureau stations on islands adjacent to the coast, and we have some in the Great Lakes, and cables have been laid from the mainland to those islands.

Mr. DRISCOLL. And there are no other means of communication except by these special telegraph and cable lines?

Mr. SCOTT. No.

Mr. DRISCOLL. And this is for the maintenance and repair of those lines?

Mr. SCOTT. Yes.

Mr. MANN. I may say to the gentleman that these lines do some outside business, but the receipts are all turned into the Treasury.

Mr. DRISCOLL. Turned into this fund?

Mr. MANN. No; into the Treasury, into the miscellaneous receipts.

Mr. DRISCOLL. I withdraw the pro forma amendment.

The Clerk read as follows:

For the maintenance of a printing office in the city of Washington, including the purchase of necessary supplies and materials for printing weather maps, bulletins, circulars, forms, and other publications, and for pay of additional assistant foremen, proof readers, compositors, pressmen, lithographers, and folders and feeders, when necessary, \$45,000.

Mr. LIVINGSTON. Mr. Chairman, I move to strike out the last word. I wish to ask the chairman of the committee a question. They have a regular printing office in the Weather Bureau?

Mr. SCOTT. We have a printing office there.

Mr. LIVINGSTON. Have you a scale of prices so that we can get at the cost of printing and compare it with the cost of printing in the Public Printing Office?

Mr. SCOTT. I doubt very much whether the work of the Weather Bureau printing office would afford data for such a comparison as the gentleman wishes.

Mr. LIVINGSTON. Do you have any printing for that bureau done at the Public Printing Office?

Mr. SCOTT. I think the reports of the chief and the bulletins, when a large number are required, are printed in the general printing office. The work that is done in the bureau printing office is chiefly that of the printing of maps, the monthly and weekly Weather Bureau reports, and the necessary blanks used by the bureau.

Mr. LIVINGSTON. And the committee did not look into the cost of that printing?

Mr. SCOTT. No; we did not have any occasion to do that, because we make an appropriation for the maintenance of the office in a lump sum, and it has not changed for many years until this year, when we allowed an increase of \$15,000 because it was the intention of the chief to print in the bureau here at Washington publications which heretofore have been printed in the offices throughout the country. The chief recommended that the publications heretofore printed in the outside offices be dis-

continued, and we believe it is in the interest of economy to have the change made.

Mr. LIVINGSTON. Do I understand you to say that there has been an increase in the price of the work?

Mr. SCOTT. No; not in the price of the work, but an increase of \$15,000 in the appropriation.

Mr. LIVINGSTON. If the gentleman listened to the discussion a few days ago on the floor in regard to the Interior Department and the Treasury Department, he will remember that the chairman of the Committee on Appropriations stated that there has been an increase of 55 per cent in the cost of printing. The gentleman has not discovered that in this bureau?

Mr. SCOTT. There is no occasion for any report of that kind coming from the printing office of the Weather Bureau, for the reason that it does not do any work for any other outside bureau, and therefore has no occasion to make any itemized statement showing the cost of its work.

Mr. LIVINGSTON. I want the gentleman to understand that it is just as necessary for the Government to have cheap printing done as it is for an outsider.

Mr. SCOTT. I quite agree with the gentleman.

Mr. HEPBURN. Mr. Chairman, I rise to a point of order, that the gentlemen carrying on the colloquy are out of order. I submit that whatever there is in the way of address on this floor is to the Chairman of this committee, and that a Member has no right to address another Member on the floor, and carry on in this way a private conversation. I have been listening and attempting to hear what the two gentlemen have said, and not a word have I been able to hear.

Mr. LIVINGSTON. That is not our fault.

Mr. HEPBURN. The gentlemen are violating the rules. It is the duty of each gentleman to address the Chair if he desires to ask a question; and if he desires to answer a question, he must do it through the Chair. That is the parliamentary usage, and any other method is a violation of the law.

The Clerk read as follows:

BUREAU OF ANIMAL INDUSTRY.

Salaries, Bureau of Animal Industry: One chief of bureau, \$5,000; 1 chief clerk, \$2,000; 1 editor and compiler, \$2,000; 4 clerks, class 4; 5 clerks, class 3; 15 clerks, class 2; 1 clerk, \$1,300; 14 clerks, class 1; 14 clerks, at \$1,000 each; 5 clerks, at \$900 each; 3 clerks, at \$840 each; 5 clerks, at \$720 each; 1 mechanic, \$1,200; 1 messenger and custodian, \$1,000; 1 carpenter, \$1,100; 3 carpenters, at \$900 each; 1 painter, \$900; 3 messengers, at \$840 each; 4 messengers, at \$720 each; 2 messenger boys, at \$480 each; 1 skilled laborer, \$840; 2 skilled laborers, at \$720 each; 3 skilled laborers, at \$600 each; 1 skilled laborer, \$660; 1 illustrator, \$1,400; 4 laborers, at \$600 each; 1 laborer, \$480; 1 charwoman, \$540; 6 charwomen, at \$480 each; 2 charwomen, at \$240 each; in all, \$114,100.

Mr. DRISCOLL. Mr. Chairman, I move to strike out the last word.

Mr. MADDEN. Mr. Chairman, I reserve the point of order on the paragraph.

Mr. DRISCOLL. Mr. Chairman, I wish to ask if any employees from any other part of this bureau have been transferred to the salary list which is set out in this paragraph.

Mr. SCOTT. Yes; there are a number of employees who have heretofore been paid under the lump-fund appropriations that are now carried to this salary statutory roll.

Mr. DRISCOLL. That is the way the gentleman accounts for the large increase in the total for the salary list?

Mr. SCOTT. That explains it. I will say for the information of the gentleman from New York that the only new places on this roll are 3 clerks, at \$1,000 each. There have been transferred from this bureau to the Secretary's roll 1 clerk of class 2; 1 clerk, at \$840; 2 messengers, at \$720; and 1 skilled laborer, at \$720; and all the transfers to the roll except the 3 clerks which I mentioned have come from the lump-fund appropriation.

Mr. DRISCOLL. Were they employed heretofore in the same work, but paid out of a lump sum?

Mr. SCOTT. They are employed now in the bureau, and there is no change in their official duty. The transfer is made in accordance with the practice of the committee, which, it believes, is in the interest of good legislation, to bring under the statutory roll employees who are regularly engaged in the bureau and are to remain there permanently, so far as we can see.

Mr. DRISCOLL. I withdraw the pro forma amendment.

Mr. MANN. Mr. Chairman, I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman from Illinois insist on the point of order?

Mr. MADDEN. I reserve the point of order.

Mr. MANN. Mr. Chairman, I notice in this paragraph a number of increases of items, such as laborers, painters, carpenters, and so forth, which, I assume, are perfectly proper; and I would like to ask the gentleman whether the occasion for employing

them now and heretofore, which has only been a recent employment, is because of the additional expense of taking care of the new Agricultural building?

Mr. SCOTT. That accounts for a good many of these places. There are 64 rooms in the new Agricultural building which are used by the Bureau of Animal Industry. A good deal of work is necessary to get those rooms properly fitted up, and therefore the chief of the bureau asks for these increases in his force.

Mr. MANN. I can see the reason for that. May I ask the gentleman a further question? I notice that in the bill the gentleman carries items of carpenters under the Bureau of Animal Industry, carpenters under the Bureau of Plant Industry, and carpenters under the bureau of something else, all located in the new building. Has the gentleman's committee considered the question of whether it is desirable to have these carpenters scattered under different bureaus instead of being all under one head?

Mr. SCOTT. In reply to the gentleman's question I wish to say that the committee has considered that very carefully. Under the appropriation carried in the last year's bill, new shops have been constructed on the department grounds, as the gentleman doubtless knows. When the estimates came before us this year, the committee inquired whether it would not be in the interest of economy to have the mechanics now allotted to the various bureaus all gathered together in these shops under one foreman, so that when the Bureau of Animal Industry needs the services of a carpenter, for example, it could notify that foreman and he could detail a man to do that particular work, and so all the way around the other bureaus. The Secretary, to whom this matter was referred, after consultation doubtless with his chiefs, gave it as his opinion that in another year that could be properly done, but at present, when things are more or less in chaos, owing to the fact that the bureaus have not yet settled down into their new quarters, it seemed more desirable to have the present arrangement continue.

Mr. MANN. Then, it is not intended to continue this as a permanent policy?

Mr. SCOTT. Not if the committee can control it.

Mr. MANN. Probably not. May I ask the gentleman one more question? Are these persons now covered into the regular salaried list people who have been appointed in the classified service through the Civil Service Commission, or are they there by being covered into the classified service?

Mr. SCOTT. They were originally appointed in the classified service, and I will say to the gentleman that they can not get a charwoman in the Department of Agriculture except through the civil service. They can not, even, appoint a laborer on the temporary rolls, so they tell me.

Mr. MANN. I understand that, as far as I am concerned, but that is not true in every case. Now, a charwoman is not in the classified service, and there is a very different roll from which they take the charwomen and from which they take the skilled laborer. What I desired to learn was whether these people who now go into the classified service were originally appointed from the same rolls from which appointments to the classified service are made, or whether they are appointed on the roll from which mere laborers are appointed?

Mr. SCOTT. They were appointed from the rolls from which the classified service is appointed, and it is my information that the only appointments which can be made in the Department of Agriculture outside the civil service are for "experts." I think it is claimed that there is a provision of the civil-service rules under which the Secretary can appoint an expert without calling upon the civil service.

Mr. DRISCOLL. Let me ask a question in connection with a remark the gentleman made. Is it not possible to transfer from other departments to the Agricultural Department persons who have been gotten into those departments without the civil-service examination?

Mr. SCOTT. It is governed by the civil-service regulations; there are such regulations.

Mr. MADDEN. I wish to inquire why the committee thought it necessary to increase the number of clerks provided in lines 9, 11, and 14—3 new clerks, at \$1,000 each?

Mr. SCOTT. That increase is a very small part of the increases asked for by the chief of the bureau in the estimates, and the committee believes that the increase of the work of the bureau justifies this addition to his office force.

Mr. MADDEN. Does the committee think there is an increased work in the Department of Agriculture, as a matter of fact?

Mr. SCOTT. There does not seem to be any doubt about that.

Mr. MADDEN. Mr. Chairman, does the gentleman give it as his opinion that the addition of these three clerks, at \$1,000

each, is a prime necessity for the proper conduct of the work of the department?

Mr. SCOTT. Mr. Chairman, it was the opinion of your committee that it is a prime necessity; otherwise it would not have been recommended.

Mr. MADDEN. Then I withdraw the point of order.

The CHAIRMAN. The gentleman from Illinois withdraws the point of order.

The Clerk read as follows:

Cooperative experiments in animal feeding and breeding: For experiments in animal feeding and breeding, in cooperation with the state agricultural experiment stations, including the repairs and additions to and erection of buildings absolutely necessary to carry on the experiments, including rent, and the employment of labor in the city of Washington and elsewhere, and all other necessary expenses, \$50,000.

Mr. BARTLETT of Georgia. Mr. Chairman, I reserve the point of order and I would like to know what authority of law there is other than in the appropriation bills for several years carrying that provision?

Mr. SCOTT. The gentleman refers to the paragraph for cooperative experiments in animal feeding and breeding?

Mr. BARTLETT of Georgia. Yes; page 12, lines 12 to 19.

Mr. SCOTT. Aside from the authority of several preceding appropriation acts—

Mr. BARTLETT of Georgia. Which is no authority at all.

Mr. SCOTT (continuing). It seems to me that under the general authority of the law creating the Department of Agriculture the work may well be justified. The first section of that law provides that—

It shall be the duty of such department to acquire and diffuse among the people of the United States useful knowledge on subjects connected with agriculture in the most general and comprehensive sense of that word.

It seems to me that the investigations provided for in this paragraph may well lead to knowledge relating to the breeding and feeding of domestic animals which will be of very great use to the agricultural interests of the United States.

Mr. BARTLETT of Georgia. Now, with the construction which the gentleman puts on the act creating this department, is there anything you can not do in this bill except increase salaries which are fixed by law?

Mr. SCOTT. Well, in my judgment, there are very few things which relate to the fundamental industry of our country which you could not do under the authority of this act.

Mr. BARTLETT of Georgia. I confess that the construction of the rule put upon it by the gentleman from Kansas would permit the House to embrace anything in this appropriation bill. As he seems to think that this is a very useful appropriation and of great service to the agricultural interests, I will not make the point of order, although I do not want to be understood as concurring in the proposition that there is no limit on the Committee on Agriculture or on the House when considering this bill as to what new law they shall enact in it. While I think many of the purposes of this and other provisions in this bill are very laudable, I think we have already stretched the authority of Congress to the point of breaking.

Mr. SCOTT. I thoroughly appreciate the gentleman's position.

Mr. BARTLETT of Georgia. I will not make the point of order. [Applause.] The purpose of reserving the point of order was to ascertain if this appropriation is made for the purpose of increasing the quality and character of the live stock.

Mr. SCOTT. That is the purpose of this investigation.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. BARTLETT] has expired.

Mr. BARTLETT of Georgia. I am very much in favor of that, and I will not make the point of order. [Applause.]

Mr. COX of Indiana. Can the gentleman inform the committee how much money the Government spends annually in cooperative work in the various institutions of the States?

Mr. SCOTT. I have never had a statement prepared showing all of the money that is expended in cooperation with the various States, and I am unable to give the gentleman a categorical answer.

Mr. COX of Indiana. I think it is a splendid work that the Government is doing. If the gentleman could approximate the amount, I would like to know.

Mr. SCOTT. I wish to say that it is the disposition of the committee, wherever it can be justly done, to require the States to cooperate in the event that the General Government spends any money within their borders for a specific purpose.

Mr. COX of Indiana. Can the gentleman answer this question, How many States are now cooperating with the General Government along this line?

Mr. SCOTT. There is hardly a State in the Union that is not cooperating in some way with the General Government.

Mr. COX of Indiana. They have practically all taken advantage of it?

Mr. SCOTT. Nearly all of them have done so; and I may add that the cooperation of the States in the matter of the enforcement of the pure-food law is referred to especially by the Chief of the Bureau of Chemistry as being helpful and in the interest of economy.

The Clerk read as follows:

Total for Bureau of Animal Industry, \$1,402,860.

Mr. DRISCOLL. Mr. Chairman, I move to strike out the last word. I wish to ask the chairman of this committee whether it is expected that this bureau will take on any new and additional lines or kinds of work other than have been conducted or carried on in the past?

Mr. SCOTT. There is not any intention, as far as I know, of taking on any new projects this year.

Mr. DRISCOLL. I observe the amount appropriated for this bureau for the next year is \$322,000 more than that for the current year, and more than 30 per cent additional. That is a pretty large increase for the work carried on in this bureau.

Mr. SCOTT. The gentleman must be mistaken in his figures. The estimates ask for an increase in this bureau of \$96,560. The committee has allowed a total increase of \$72,000 only.

Mr. DRISCOLL. The present law carries a total of \$1,080,860, and this carries a total of \$1,402,860, which, as I have figured out, is an increase of \$322,000 in this bureau. That is a pretty large increase for the ordinary growth of the bureau and for doing the ordinary work—

Mr. COCKS of New York. They have put in something for this foot-and-mouth disease. I do not know how much.

Mr. DRISCOLL (continuing). Especially when our deficit is growing all the time and was about \$15,000,000 during the last month.

Mr. SCOTT. The total appropriation for the Bureau of Animal Industry for 1909 was \$1,330,860.

Mr. DRISCOLL. There must have been some shifting of it somewhere. I want to know whether it is proposed to take on any new work during the next year not included in the Bureau of Animal Industry during the last year.

Mr. SCOTT. The explanation probably is in the fact that last year there was carried as a separate appropriation \$250,000 for the eradication of the cattle tick, and that is included in the general expense account here this year instead of being carried as an emergency measure.

Mr. DRISCOLL. Is that carried here in the appropriation for the Bureau of Animal Industry?

Mr. SCOTT. In last year's bill the appropriation for the eradication of the cattle tick, \$250,000, was carried as an emergency appropriation and was not included in the total as shown in the law for the Bureau of Animal Industry. This year that \$250,000 is included. The amount is the same, and the work is not changed.

Mr. DRISCOLL. I withdraw the motion.

The Clerk read as follows:

BUREAU OF PLANT INDUSTRY.

Salaries, Bureau of Plant Industry: One plant physiologist and pathologist, who shall be chief of bureau, \$5,000; 1 chief clerk, \$2,250; 1 editor, \$2,000; 1 superintendent of gardens and grounds, \$1,800; 1 officer in charge of records, \$2,000; 3 executive clerks, at \$1,980 each; 4 clerks, class 4; 8 clerks, class 3; 1 clerk, \$1,500; 13 clerks, class 2; 31 clerks, class 1; 1 seed clerk and superintendent, \$1,200; 1 clerk, \$1,080; 19 clerks, at \$1,000 each; 15 clerks, at \$900 each; 16 clerks, at \$840 each; 1 clerk, \$800; 13 clerks, at \$720 each; 8 clerks, messengers, or laborers, at \$660 each; 15 clerks, messengers, or laborers, at \$600 each; 1 assistant photographer, \$600; 1 carpenter, \$900; 1 carpenter, \$840; 2 gardeners or assistants, at \$1,000 each; 6 gardeners, at \$900 each; 2 gardeners, at \$840 each; 4 gardeners, at \$780 each; 5 gardeners, at \$720 each; 3 gardeners, at \$660 each; 1 gardener, \$600; 1 skilled laborer, \$900; 1 skilled laborer, \$840; 1 painter, \$840; 2 plumbers, at \$840 each; 8 skilled laborers, at \$720 each; 4 skilled laborers, at \$540 each; 14 skilled laborers, messengers, or messenger boys, at \$480 each; 4 messenger boys, at \$360 each; 3 messenger boys, at \$300 each; in all, \$210,510.

Mr. EDWARDS of Georgia. I move to strike out the last word.

Mr. DRISCOLL. I will make or reserve a point of order on the three executive clerks.

Mr. EDWARDS of Georgia. I wish to offer an amendment. I move to strike out of page 12, line 25—

The CHAIRMAN. The Chair will first dispose of the point of order.

Mr. DRISCOLL. I make the point of order against the words "three executive clerks," in line 4, page 13, as creating new offices, not authorized by law.

Mr. SCOTT. Mr. Chairman, two of these clerks are new to this bill. One was provided in the last bill. So that the total number is now three clerks, with only two of them new. It seems to me that the point of order against them is not well taken, because the Secretary of Agriculture is certainly author-

ized by law to employ all the clerks, assistants, and other persons he may need to perform the duty imposed upon him. I ask for a ruling upon the point of order.

The CHAIRMAN. Does the gentleman from New York make the point of order?

Mr. DRISCOLL. I reserved it; I wanted to know if the gentleman had shifted either of these clerks from some other line of service and whether they were paid from some other appropriation; if so, I would not have minded. But now, since the gentleman wants a ruling, I want to see any authority for two of these places at \$1,980 each.

Mr. SCOTT. Mr. Chairman, this matter was considered, and very carefully, by the committee, and it was the judgment of the committee that the bureau chiefs made a good case in asking for this increase. The Bureau of Plant Industry is managed with very great discretion and good judgment, and it is the opinion of your committee that these two places are needed in order to carry out the work of the bureau. It seems to me clear that the point of order can not lie against them, and I will ask a ruling of the Chair.

The CHAIRMAN. Does the gentleman from New York make the point of order?

Mr. DRISCOLL. Well, yes; I make it now.

The CHAIRMAN. Will the gentleman from Kansas inform the Chair as to the statute which gives to the Secretary of Agriculture the authority he referred to a moment ago?

Mr. SCOTT. The organic act establishing the department authorizes the Secretary of Agriculture to employ such "clerks, assistants, and other persons" as he may need to carry into effect the provisions of the act. I quote from memory, but I am quite sure I am not mistaken about it.

Mr. DRISCOLL. Mr. Chairman, in order to save time, I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn.

Mr. EDWARDS of Georgia. I move to amend, page 12, line 25, by striking out at the end of the line the word "two" and inserting the word "five," and in line 1, page 13, strike out the words "and fifty."

Mr. MACON. I reserve a point of order on the amendment.

The CHAIRMAN. The Clerk will report the amendment.

Mr. EDWARDS of Georgia. I expected that of the gentleman.

Mr. MACON. Whenever the gentleman undertakes to violate the rules of this House he may expect it.

Mr. EDWARDS of Georgia. I am aware of the fact that the gentleman is always on the lookout.

The CHAIRMAN. The gentleman will please repeat his amendment, in order that the Clerk may get it.

Mr. EDWARDS of Georgia. Line 25, page 12, strike out the word "two," at the end of the line, and insert "five;" and in line 1, page 13, strike out the words "and fifty."

The Clerk read as follows:

Page 12, line 25, strike out the word "two," at the end of the line, and insert "five;" and in line 1, page 13, strike out the words "and fifty," so as to read "\$2,500."

Mr. SCOTT. I make the point of order against that.

Mr. MACON. I will say to the gentleman from Kansas, it is already made.

Mr. SCOTT. I was waiting until the amendment could be reported at the Clerk's desk.

Mr. EDWARDS of Georgia. I withdraw the amendment.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

Mr. MACON. I object to the withdrawal of the amendment. I would like to have the Chair rule on the point of order.

The CHAIRMAN. Objection is heard. The point of order is sustained.

Mr. HARDY. Mr. Chairman, I rise with some hesitation to move to strike out the last word, in order to ask for some information. I see in this bill, on this page, there are provisions for as many as 30 gardeners and assistant gardeners. What I want to know is where this gardening of the department is done, and what is the necessity for so many gardeners. The information I am anxious to secure, and what I want to understand, is what the department is doing that requires the employment of this many laborers in that line.

Mr. SCOTT. If the gentleman has visited the grounds around the Agricultural Department, he will have noticed there are extensive greenhouses, which are used in plant breeding and propagation and other plant-cultural work. The men who take care of these greenhouses are carried on the roll as gardeners. They are all kept busy, and their number is not greater than the work requires.

Mr. HARDY. Is most of that within the city limits and close to the department buildings?

Mr. SCOTT. It is all within the city of Washington, with the exception of some men who are employed on the Arlington experiment farm across the river.

Mr. HARDY. How large is that Arlington experiment farm?

Mr. SCOTT. My recollection is that there are about 200 acres in the Arlington experiment farm.

Mr. HARDY. That is taken charge of by these men?

Mr. SCOTT. Yes.

Mr. HARDY. I withdraw the pro forma amendment.

The Clerk read as follows:

For the investigation and improvement of grains and methods of grain production, \$63,910.

Mr. STAFFORD. Mr. Chairman, a parliamentary inquiry. I should like to inquire of the Chair whether the lines now being read are considered as a part of one and the same paragraph, beginning at line 11, page 14, or whether each paragraph is considered as an independent paragraph? You will notice that at the end of line 23 there is a colon, and all these subsequent paragraphs end with semicolons.

The CHAIRMAN. The Chair will state to the gentleman from Wisconsin that each one of these seems to be a separate paragraph.

Mr. DOUGLAS. I have been waiting for what I supposed to be the end of the paragraph. Under the ruling of the Chair I ask unanimous consent to return to the bottom of page 15.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to return to the paragraph at the bottom of page 15. Is there objection?

There was no objection.

Mr. DOUGLAS. I move to amend that paragraph by adding after the word "cotton," in line 23, the words "and wool," so that it will read:

For investigating the handling, grading, and baling of cotton and wool, and the establishment of standards for the different grades thereof.

Mr. SCOTT. Mr. Chairman, I shall be obliged to reserve a point of order against that amendment.

Mr. DOUGLAS. Anticipating the point of order, I wish to call the matter to the attention of the committee when this bill is considered another year. It is of great importance to the growers of wool in my State and in other States that this matter of the grading of wool, equally with the grading of cotton, may receive governmental supervision and attention. I have found by reading on the subject and otherwise that the grading of wool in Australia has made a wonderful difference and been of very great value to the woolgrowers of that country; and I am sure that the artificial methods by which wool is now graded in the Boston and other markets could be greatly improved by governmental supervision. If it be held, as I apprehend it will be, that this amendment is subject to the point of order, I hope that the committee will bear it in mind at their hearings another year. I should like to ask the chairman of the committee what, if any, attention the committee have given to the matter of the grading of wool?

Mr. SCOTT. Mr. Chairman, the committee considered the proposition of including an investigation along this line, with a view of improving the standards of the grades of wool, but decided not to recommend it in this bill, because the work of standardization of cotton has not yet been finished, and we thought it was better to finish one investigation before taking up another.

Mr. DOUGLAS. If I may be pardoned for interrupting, is not that investigation substantially finished?

Mr. SCOTT. It could hardly be said to be finished. It has come to the stage where we will determine pretty soon whether the work which has been done is of any value. A very important part of the work still remains to be done. I appreciate the importance of the suggestion of the gentleman, and can assure him that the committee will consider it at another time, but I shall be obliged at this time to insist upon my point of order.

Mr. DOUGLAS. I concede the point of order to be well taken.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

For the investigation and improvement of methods of growing, producing, and handling tobacco, \$30,530.

Mr. COLE. Mr. Chairman, I offer an amendment, after the word "dollars," in line 23:

For experiments in the manufacture of paper from cornstalks, \$20,000.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 16, line 23, insert the following:

"For experiments in the manufacture of paper from cornstalks, \$20,000."

Mr. SCOTT. I reserve the point of order.

Mr. COLE. Mr. Chairman, I realize the appropriation called for by this amendment is subject to a point of order, but the subject-matter is of sufficient importance to receive congressional recognition. During the past year the Department of Agriculture has been making some experiments in the manufacture of paper from cornstalks and other fibrous plants in one of its chemical laboratories. The results obtained have been very gratifying. The finest quality of paper has been manufactured from cornstalks. It is a demonstrated fact that all grades of paper can be successfully made. Now, Mr. Chairman, this is an age of conservation. We recognized the necessity of practicing economy in the use of our natural resources. The whole question of conservation revolves around the preservation of our forests and our supply of timber. Government authorities assure us that at the present rate of consumption our present supply will be exhausted within a period of thirty years. Anything that tends to conserve that supply is worthy of consideration. The manufacture of pulp and paper is one of the greatest demands upon our forests at the present time. When a pulp factory is established in any timber land, as a rule it usually denudes that section. It uses all timber from 2 inches in diameter to the largest tree of the forest. As a result of the great consumption of wood the price of paper has greatly increased. Every newspaper in the country will testify to that fact.

Many papers have been compelled to cut down the size of their issues because of this increased cost. Therefore, any product that can be used in the manufacture of paper ought to be utilized. It would only cost about \$20,000, according to the estimate of the department, to equip a factory in the great corn-growing belt for the purpose of making this experiment. It would be a source of increased income to the farmers. Doctor Galloway, of the Bureau of Plant Industry, estimates that \$5 a ton can be paid for cornstalks and the manufacturer realize a reasonable profit on his investment. An acre of ordinary corn land in the United States produces from 3 to 5 tons. This excludes the husks and blades, which can be used for provender. From this statement it is evident that from fifteen to twenty dollars can be realized from this by-product that now is practically worthless. One ton of cornstalks will produce about as much paper as 1 ton of wood. Of course it is of much greater bulk than wood and would cost more for transportation. But if the factories were established in the corn-growing regions that element of cost could be greatly reduced. It occurs to me that an enterprise which would lessen the cost of print paper and bring millions of dollars into the pockets of the American farmers from a source that is now almost useless should receive encouragement at the hands of this Congress. [Applause.]

Mr. GRONNA. Mr. Chairman, I want to ask the gentleman from Ohio if he would have any objections to including the words "flax straw" in his amendment?

Mr. COLE. I have not any objection to including anything that can be used for the manufacture of paper that will lessen the tax on our forest reserve, so rapidly being exhausted in the making of pulp and paper. At this time, when we are expending so much of the public funds in the discovery of methods of increased production, it is certainly proper and expedient to devote a small appropriation to the utilization of the by-products of the farm. Here is a great product that is almost worthless to-day, great quantities of it unused and burned up in the springtime. Let us give the department authority and sufficient appropriation to perform this experiment and ascertain if this waste can not be made a source of profit to the farmer.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. GRONNA. Unless the gentleman insists on the point of order—

Mr. SCOTT. I insist on the point of order, but I thought the gentleman from Ohio had withdrawn the amendment.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

Mr. GRONNA. Mr. Chairman, I move to strike out the last word. I hoped that the gentleman from Ohio would not withdraw the amendment, and also I was in hopes that the gentleman from Kansas would not make an objection to an amendment of this kind. I am heartily in favor of the amendment offered by the gentleman from Ohio, especially because he was willing to include flax straw. We raise in the western country, in our State alone, more than 3,000,000 tons of flax straw that is burned up every year. We burn up more flax straw than would be required for the manufacture of white paper to supply

the United States. I believe now is the time to make a small appropriation for this purpose.

Mr. MANN. Will the gentleman yield?

Mr. GRONNA. Certainly.

Mr. MANN. Is the gentleman aware that flax straw is used for commercial manufactured paper now?

Mr. GRONNA. I am aware of that, but I am also aware that it is not used to any great extent.

Mr. MANN. It is as far as it is profitable to use it. It does not require any experimentation.

Mr. GRONNA. It does require an experimentation. I also believe it is profitable as an article for the manufacture of paper. It requires two and a half tons of flax straw to make a ton of white paper.

Mr. MANN. It requires a great deal more than that.

Mr. GRONNA. You can pay \$5 to \$7 a ton for flax straw, and yet it would be cheaper than the price we are paying for wood. I am heartily in favor of such an amendment to this bill as is proposed by the gentleman from Ohio.

Mr. DRISCOLL. I would like to ask the gentleman if the question of transportation would not be an important factor? You might have straw enough, but not be able to get it to the mill.

Mr. GRONNA. I will say in reply to the gentleman from New York that it is possible to establish these factories right in the center of where the flax straw is grown. The gentleman from Ohio well says that this is the time when we want to conserve our forests, and this is an annual recurring crop. It takes from 80 to 120 years to grow a saw log, and it takes only a year to grow a crop of flax or cornstalks, and I hope the gentleman from Kansas will not make the point of order against the amendment.

Mr. SCOTT. Mr. Chairman, nobody on the floor of this House is more anxious to promote the manufacture of paper from cornstalks and flax and other by-products of the farm than am I. However, I shall feel obliged to make the point of order against this proposed amendment, for the reason that it is not necessary, in my judgment, at this time. This bill carries a paragraph "to enable the Secretary of Agriculture to test such plants as may require tests, to ascertain if they be suitable for making paper, \$10,000, or so much thereof as may be necessary." Under that appropriation, which is carried in the current act, investigations have been made in which it has been fully demonstrated that paper can be made from cornstalks, and I have before me here a book of samples of paper ranging all the way from rough wrapping paper to a very high grade of writing paper manufactured from that material. The laboratory tests are complete, and it has been demonstrated beyond question that paper ranging all through the qualities I have named can be manufactured from cornstalks.

Mr. COOPER of Wisconsin. Where was that made?

Mr. SCOTT. The samples were made, as I understand it, in the laboratories at Washington. The bureau having charge of this work has now arranged for a commercial test with one of the New England mills, and until that test has been made it seems to me unnecessary to carry an appropriation for any further investigation into the subject. It certainly is being looked after with all possible diligence, and I do not think any good would be gained by inserting the amendment proposed at this time.

Mr. GAINES of Tennessee. Mr. Chairman, I will ask the gentleman if there is a patent on that?

Mr. SCOTT. There are no patents, I think. Perhaps there may be a patent on some of these processes, but things which are developed through the investigation of the Government, of course, are protected by the bureau making the discovery.

Mr. GAINES of Tennessee. Is the gentleman certain about that?

Mr. SCOTT. I understand the practice of the Department of Agriculture to be, whenever it develops a machine, a device, or any sort of a method of any kind which is patentable, to patent it for the benefit of the people, and thus protect it from private monopoly.

The CHAIRMAN. The Chair will state that the amendment having been withdrawn, we are proceeding by unanimous consent. There is nothing pending.

Mr. GAINES of Tennessee. I move to strike out the last word, and I may want to move to strike out the word "two" and insert the word "one," making it \$10,000 instead of \$20,000, and I offer that amendment now.

Mr. SCOTT. May I suggest to the gentleman from Tennessee that a discussion of the question of manufacturing paper might more properly come when we reach the paragraph especially providing for that investigation?

Mr. MANN. I may say to the gentleman also that I propose to offer an amendment on this subject, following line 3, page 17, where a discussion will be appropriate.

Mr. GAINES of Tennessee. At that time I want to discuss this patent matter also.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For general plant breeding and cooperative plant-breeding demonstrations, \$14,840.

Mr. MANN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 17, after line 3, insert:

"For the testing of such plants as may require tests to ascertain if they be suitable for making paper, \$10,000."

Mr. SCOTT. I reserve the point of order as against that.

Mr. MANN. Mr. Chairman, I think it is not subject to a point of order. It is in the language of the item in the bill, which item I offered last year in Committee of the Whole and which ran the gantlet of the point of order, and the point of order was overruled.

Mr. SCOTT. My point of order would be that it would be a duplication of language that may be in the bill.

Mr. MANN. If the point of order be that it is duplication of language in the bill, then it is for the committee to determine where in the bill the language shall occur and under what bureau.

Mr. COLE. Wherein does that amendment differ from the amendment which I offered?

Mr. MANN. If I get a chance to, I will explain it. It is the point of order now that I would like to have disposed of.

The CHAIRMAN. The Chair understands the point of order to be that the language of the amendment duplicates something already in the bill. The Chair thinks it is entirely proper for the Committee to duplicate language if it desires to do so. The point of order is therefore overruled.

Mr. MANN. Mr. Chairman, I offer the amendment at this place so that it may be under the Bureau of Plant Industry. The item in the bill is now under the head of "Miscellaneous," simply authorizing the Secretary of Agriculture to make these experiments. My object in offering the amendment is to have the investigation carried on by the Bureau of Plant Industry, for the purpose of testing, as far as may be tested, annual plants or other plants, annual or perennial, herbaceous or otherwise, which may be used in the manufacture of paper. In this connection I want to say just a word or two in regard to the cornstalk experiment. The experiment so far carried on in reference to the manufacture of paper from cornstalks would indicate that the idea is purely chimerical. While paper can be manufactured from cornstalks, it is also true that paper can be manufactured from expensive orchids, but it is not a commercial probability that it ever will be done. I do not intend to detain the committee this morning, because I hope in a few days to have time in general debate to give some time to this subject of the methods of manufacturing paper. It takes one cord of spruce wood to make a ton of ground wood, all of which is used in the production of paper. It takes about nine cords of cornstalks to produce one ton of fiber, and most of this fiber is not fit for paper making, so far as has yet been demonstrated. A ton of cornstalks will produce about 250 pounds of good fiber, which can be used in the manufacture of paper. It will produce in addition about 550 pounds of pith pulp, the pulp that comes from the pith in the cornstalks, which it may be possible to utilize in the future, but for the use of which no one yet has discovered any purpose. From this ton of cornstalks you produce in addition about 300 pounds of what is called "stock food," and the chemist—

Mr. DRISCOLL. Will the gentleman yield?

Mr. MANN. In just a moment—and the gentleman who made the experiment informed our committee that out of this 300 pounds of so-called "stock food" there would be chemically contained from 40 to 44 per cent of saccharine matter, but when it was analyzed by the Bureau of Chemistry instead of being 40 to 44 per cent it was less than 4 per cent, and some of it less than 2 per cent of saccharine matter, making a very great difference in the value of it as a by-product. I yield now to the gentleman from New York for a relevant question. [Laughter.]

Mr. DRISCOLL. Just a question. The gentleman said it would take 9 tons of cornstalks to make 1 ton of fiber. Were these stalks dry or green when weighed?

Mr. MANN. Did I say 9 tons? I said 9 cords.

Mr. DRISCOLL. What is a cord of cornstalks?

Mr. MANN. I knew the gentleman would not ask a relevant question—

Mr. DRISCOLL. It strikes me that is a relevant question; what is a cord of cornstalks?

Mr. MANN. What is a cord of cornstalks? When you transport any article by freight the space it occupies is a very important question. You can transport a cord of spruce wood to the mill and it will make a ton of paper. It will take 9 cords, 9 times the space in a freight car, to transport the same amount of cornstalks to produce the paper. Now, if it were practical to grind up cornstalks and bale them, that could be done, but the moment cornstalks are ground up they commence to heat and the moment you commence to bale them they commence to heat and they are of no value at all. The great difficulty with farmers in the country when they make corn stover is to keep it from spoiling by heating and molding.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman's time may be extended five minutes for the purpose of addressing himself, if he will, to the question of why that amendment should be carried under this item in the bill rather than under the general miscellaneous item.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that the gentleman from Illinois shall proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Now, Mr. Chairman, I hope no gentleman will divert me from the course of my remarks by another irrelevant question, although it may be a very pertinent question. I do not criticize the gentleman for asking the question. It is highly desirable that the department should make investigations of these annual plants for possibilities of paper making in the future. Reference has been made here, for instance, to the fact that paper has been made from cornstalks. I have in my possession a statement from the company which has done all of this work, so far as the paper making is concerned, and who have been carrying on these experiments for years, and they say frankly that they do not consider that the manufacture of paper from annual plants is to-day a commercial possibility, but that as the price of pulp material increases in the future it will become desirable to be able to obtain something besides wood to make this cheaper paper, and that they hope to be able through experiments to develop something which in the future may be of service. Take cornstalks, for instance. The manufacture of paper from cornstalks as a by-product of the farm is, in my opinion, out of the question, but by proper plant breeding it may be possible and practicable to produce a cornstalk rich in fiber, cultivated not for the purpose of producing the corn itself, but for the purpose of producing the fiber, which can be raised for the purpose of making paper, not merely as a by-product, but as the very object of the raising.

The same is true of various other annual plants. The Bureau of Plant Industry has connections throughout the world with large numbers of plants. It has been proposed for us to experiment with bamboo, as Japan is now experimenting, and for us to experiment with other annual or perennial plants which we may obtain; and for that reason this money ought to be under the control of the Bureau of Plant Industry. The \$10,000 which was appropriated last year has been practically wasted, not but that they may have learned something through the testing plant put up here, but all the information which has been learned so far was already known in the paper world.

I do not wish to be understood as criticising the department. They had to learn the subject themselves, as they knew very little about it; but there is now in the department Doctor Cobb, connected with the Bureau of Plant Industry, and probably the best-informed man in the world on the subject of the fiber in plants, and I believe that if under that bureau they were given the appropriation and permitted to experiment, not with paper making, but with the testing of plants and the fiber in plants, and producing plants full of fiber which may be used, they would be able to be of great service to the country. The testing as to paper making will be readily done by many of the paper manufacturers in their laboratories and in their plants, where it is impossible for them now to obtain plants themselves with which to make the tests, both for lack of opportunity to obtain the plants and lack of knowledge in regard to the fiber in plants.

Mr. STEPHENS of Texas. Will the gentleman yield to a question? I wish to ask in reference to cotton fiber. Does the gentleman know whether or not that has been sufficiently tested for paper? I have seen a statement to the effect that they have been successful.

Mr. MANN. A test of the cotton fiber is now being carried on. So far as it has been used it has not been a success, although you will find highly colored descriptions of stock for

sale in companies who would lead you to believe it was a great thing. The test of okra has not been fairly made, and I do not say that the test of cotton stalk has not been fairly made, but I am satisfied that the people who have made the tests have absolutely no confidence in the future use of cotton fiber or cornstalks to any extent for paper making unless by breeding you produce a different plant.

Mr. SCOTT. Mr. Chairman, Doctor Galloway, Chief of the Bureau of Plant Industry, when before the committee, was questioned on this subject and said:

The paper work has been carried on in cooperation with the Forest Service. The Forest Service has a laboratory in Washington that is available for certain phases of the work, and by an arrangement with the experts in that service they have carried on the tests with plants that have been brought here for the purpose.

Mr. Pinchot, the Chief of the Forest Service, when before the committee, was asked whether he had anything to report as to the paper investigation. He said:

Yes; we have quite a good deal. We have established the practicality of making merchantable pulp from a considerable number of woods, about a dozen, other than the ones that have been used hitherto. We have a laboratory here in Washington in which we try various species from all over the country, and we find that good wood pulp can be made from a large number of trees that have never been used for that purpose.

Mr. MANN. If the gentleman will permit, I may say that those experiments have not been made under this appropriation at all—that is, those experiments as to woods.

Mr. SCOTT. Whether they are made under this appropriation or not, the extracts from the hearings which I have read make it clear that there is a perfectly harmonious cooperation between the Bureau of Plant Industry and the Forest Service in this investigation. And that being true, I confess I can not see any point to be gained by transferring the investigation so that it will be exclusively under the jurisdiction of the Plant Industry Bureau. As the gentleman from Illinois [Mr. MANN] has said, the work is now in charge of Doctor Cobb, to whom he pays a deserved tribute, and all of the operations are being carried on under his direction, subject, of course, to the general oversight of the chief of the bureau and of the Secretary of Agriculture. As the language reads in the current law and in the pending bill, the whole matter rests with the Secretary of Agriculture, and if he believes that better results can be obtained by having the investigations conducted exclusively by the Bureau of Plant Industry, he is not prohibited from making such direction.

It certainly seems to me that we ought not to put anything in this bill which possibly might be construed as taking away from the Forest Service a continuation of any investigation which it has made. It must be of great utility to discover that wood pulp can be made from varieties of timber which up to this time have not been available. Undoubtedly such discoveries have been made as the result of the investigations already concluded, and I can see no object to be attained in the amendment offered by the gentleman from Illinois. I trust therefore it will be voted down, so that the bill may remain as it is now.

Mr. GRONNA. I move to strike out the last word. Mr. Chairman, I want to ask the gentleman from Illinois a question. I know he is very well posted on this particular question, the same as he is on all others on which he has made a study. I want to find out if the committee of which the gentleman is a member has made an investigation as to whether any tests have been made as to the manufacture of paper from flax straw.

Mr. MANN. There have been no tests made by the Government.

Mr. GRONNA. I want to state that I understand that there has been some paper made from flax straw, but there is a patent on the process of bleaching.

Mr. MANN. I think the gentleman is mistaken about there being a patent on the process of bleaching.

Mr. GRONNA. I so understood.

Mr. MANN. The retting of flax straw for linen is one thing that would not be required in making it ready for use in making paper. They are using a flax straw in Minneapolis and up in that country for a character of paper.

Mr. GRONNA. I want to say to the gentleman that in a letter from Doctor Drewson, of New York, a noted chemist, he states that it takes just 2½ tons of flax straw to make a ton of paper, or 40 per cent of paper can be made from flax straw; and I understand there is a patent, or at least a patent pending, on the bleaching process of this particular paper.

Mr. MANN. Well, the bleaching process is a simple thing. You can bleach anything in the way of a fiber to-day by putting a little chlorine in it. Flax straw is no different from other things. All really white paper is bleached, taking the same

process practically for one as for the other. The patented process which has been experimented with by the Agricultural Department is probably the one to which the gentleman from Tennessee refers as the process by which the fiber is separated from the pith. All annual plants contain a considerable amount of pith; cornstalks contain notably a large amount of pith. You can not manufacture paper to advantage without separating the fiber from the pith, and there is a patented process which has been used by the department here, and they are the ones largely interested in pushing the cornstalk proposition, by which they successfully separate the pith from the real cellulose fiber.

Mr. GRONNA. I thank the gentleman for the information.

Mr. COOPER of Pennsylvania. I would like to ask the gentleman from Illinois, in what branch of the Agricultural Department is being conducted the experiment of making paper?

Mr. MANN. In the Bureau of Plant Industry and Bureau of Forestry.

Mr. POLLARD. Mr. Chairman, I want to read from the present bill, on page 46, beginning with line 16, where I think this same matter is incorporated in the bill, for it reads as follows:

To enable the Secretary of Agriculture to test such plants as may require tests to ascertain if they be suitable for making paper.

Now, the only difference between this provision that is now in the bill and the amendment offered by the gentleman from Illinois is, that he desires to limit the work and desires to take it out of the hands of the Secretary of Agriculture, the head of that great department, and place it under the direction of the Chief of the Bureau of Plant Industry. That, it seems to me, ought not to be done. It seems to me this matter, as well as all other matters relating to investigations in that department, ought to be left under the direction of the head of the whole department. As he has the general supervision over all the work, if he desires to have that work done, and if in his judgment it can be done better by the Bureau of Plant Industry, he can have it done there. On the other hand, if he thinks it can be best accomplished by a system of cooperation between the Bureau of Plant Industry and the Bureau of Forestry, he can direct to have it done in that way. It seems to me it ought to be left in his hands.

Mr. MANN. The gentleman is a member of the committee reporting the bill. Can he find any other item in the bill which is not put under the head of one of the particular bureaus? He thinks they ought all to be under the Secretary; can he find another item in the bill that is not under one of the bureaus?

Mr. POLLARD. As a matter of fact, as the gentleman's provision now is, it only makes a limitation and puts it into the hands of the Chief of the Bureau of Plant Industry.

Mr. MANN. I offer this amendment, which will put it in the same class, the same as any other item. The same relating to paper. If the gentleman thinks this amendment is unreasonable, he thereby condemns every other item in the bill.

Mr. POLLARD. Mr. Chairman, I do not agree with the gentleman.

Mr. MANN. Of course the gentleman does not.

Mr. POLLARD. Every appropriation in this bill, from one end of it to the other, is under the direction of the Secretary of Agriculture. The provision in the bill as it now stands authorizes the Secretary, as I have said, to carry on this investigation, and I see no object to be gained in taking it out of his hands.

Mr. GAINES of Tennessee. I should like to have the attention of the gentleman from Illinois [Mr. MANN]. I should like to know where his amendment comes in; the page and line?

Mr. MANN. I offered the amendment to follow the paragraph concerning plant breeding, after line 3, on page 17.

Mr. GAINES of Tennessee. Mr. Chairman, I should like to have the amendment reported again.

The CHAIRMAN. If there be no objection, the Clerk will again report the amendment.

The amendment was again read.

Mr. GAINES of Tennessee. I should like to ask the chairman of the committee reporting the bill what is his exact objection to this? Does he object to the proposition entirely, or does he object to the place at which it is offered in the bill?

Mr. SCOTT. My objection to the amendment is that it seems to restrict the investigations wholly to the Bureau of Plant Industry; whereas I believe that to a considerable extent they may be carried on under the Bureau of Forestry. I think, in other words, that the language of the present bill, which authorizes free cooperation, may well be allowed to remain.

Mr. GAINES of Tennessee. Are not all the departments of the forestry and plant departments under the Secretary of Agriculture?

Mr. SCOTT. Undoubtedly.

Mr. GAINES of Tennessee. Then that is rather a technical objection, is it not?

Mr. SCOTT. It is rather technical, and yet after the provision has been carried apart from any bureau, as a paragraph by itself, and Congress then particularly and specifically picks it out and puts it under a given bureau, it seems to me that the Secretary might well construe it as being the intent of Congress to limit the investigations to that bureau.

Mr. GAINES of Tennessee. I understand the gentleman from Illinois disclaims that intention. Mr. Chairman, whether the amendment comes in here or not, I do hope some such amendment as this will be made to the bill somewhere. Exactly where it ought to be, I am not familiar enough with the bill to say.

Mr. POLLARD. The gentleman says he hopes the item will be inserted in the bill. If he will turn to page 46, beginning with line 16, he will find the identical amendment offered by the gentleman from Illinois, except that it is not limited.

Mr. GAINES of Tennessee. I have that before me. Now, I want to ask the gentleman from Illinois why he puts this amendment in here?

Mr. MANN. This is where it belongs, under the Bureau of Plant Industry. Like all the other items that relate to the handling of annual plants, this item ought to be under the Bureau of Plant Industry, where the money will be profitably expended. We have examined before the special Pulp and Paper Committee all of the people who have had to do with the experiments of the last year, and I want to say that, in my judgment, so far as value to the country is concerned, they have wasted the money undoubtedly. They have helped to give themselves necessary education. They were like the rest of us; they did not know very much about it.

Mr. GAINES of Tennessee. If the amendment is adopted where you propose it, it will still be in the Agricultural Department and under the direction of the Secretary of Agriculture.

Mr. MANN. Oh, certainly.

Mr. DOUGLAS. The gentleman of course contemplates striking out the provision on page 46?

Mr. MARTIN. I should like to inquire of the gentleman from Illinois, in case this amendment carries, whether experimentation could be made in this Bureau of Plant Industry on any plants except annual plants? Could they be made upon wood generally?

Mr. MANN. They could be made, of course, upon anything; but I may say to the gentleman, so far as the question of wood is concerned, they have learned nothing new, either in the Bureau of Forestry or anywhere else, in regard to the use of wood. Practically all kinds of wood are now used for paper making, so far as they are commercially profitable.

Mr. MARTIN. Is it the gentleman's judgment that the effect of the transfer of this item would be to limit the experiments to annual plants only?

Mr. MANN. My own judgment is that if they use the money profitably they will use it in connection with the development of annual and perennial plants—probably largely in perennial plants, which grow from the roots and are cut down each year.

Mr. MARTIN. Would it not have the effect to abandon the experiment in miscellaneous wood fiber?

Mr. MANN. Not at all. The Forestry Service is conducting experiments in regard to the use of wood, but not a single one has been made out of this fund, and not one of them has been made since this money was appropriated. We had the Bureau of Forestry before us, and they testified as to their experiments. We had this testimony before this was law at all.

Mr. MARTIN. What experiments have been carried on under this item?

Mr. MANN. They have experimented in Washington on cornstalks, with a grass that grows in California, with rice straw, and have collected together some cotton stalks. They have experimented mainly for the purpose of showing whether a certain patented process could be profitably used by the Government. That is what the main experiment has been for. I do not like to say that, but that is the fact, and I do not think it is a proper expenditure of money.

Mr. MARTIN. Under what bureau has the experimentation been carried on?

Mr. MANN. Under the direction of the Forestry Service, which I do not wish to criticize in this direction. They did not know anything about the making of paper, or paper material, contemplated by the bill. They had to learn. I have been on the Paper and Pulp Committee for a year, and we have learned a good deal and do not know much now. But in every step we have taken if we had known then what we know now, before we took a step, we might have taken a better step or not taken it at all.

Mr. MARTIN. Does not the gentleman think it likely that if we take advantage of what little has been learned and keep on in that direction we might make some progress?

Mr. MANN. We have not learned anything except as to whether a certain patented process could be profitably used to separate fiber from the pith. The Warren mills made paper out of cornstalks years and years and years ago. That is where this paper that we have here is made, not by the Government, but in the Warren mills. I have a letter from Mr. Warren, in which he says that they have been experimenting on this subject for years, but never yet have they reached the point where it was commercially profitable, or where it looked as though it would be in the near future.

Mr. MARTIN. Under the terms of the bill, the Secretary could direct the experiments to be had in the Bureau of Plant Industry.

Mr. MANN. The Secretary of Agriculture is not posted on this subject. I make no reflection upon him when I say that he does not know anything about paper making, and that what he does not know would fill quite a volume.

Mr. EDWARDS of Georgia. Mr. Chairman, I would like to ask the gentleman a question.

Mr. MANN. I have not the floor; but I will answer the gentleman.

Mr. EDWARDS of Georgia. What experiments have been made with cotton stalks and marsh grasses, if the gentleman knows?

Mr. MANN. There has been considerable experimentation made with cotton stalks, but cotton stalks are very bulky when you come to gather them, more so than cornstalks; and while you can make good paper or good fiber, it is not the opinion of those who have investigated the subject that it will ever be profitable to make paper out of cotton stalks as cotton stalks are now raised.

Mr. EDWARDS of Georgia. How about the marsh grass?

Mr. MANN. There have been experiments made on various marsh grasses. If the gentleman will read the bulletin issued by the Pulp and Paper Committee, he will find a letter from abroad on that subject which is very interesting. When they undertake to collect the grass which grows in the marshes of the South for paper making, the cost of collection up to the present time has been prohibitive as to cheap paper, and as to the more expensive paper, it does not compete with rag paper.

Mr. EDWARDS of Georgia. It fails in quality. Now, does not the gentleman think that this amount ought to be increased to \$20,000 instead of \$10,000?

Mr. MANN. I think \$10,000 is all they want. I have discussed this matter with Doctor Galloway, Chief of the Bureau of Plant Industry, along the line of making an investigation of these plants. While I do not undertake to quote him at all, or express his opinion, still I think I know what he wants.

Mr. EDWARDS of Georgia. Mr. Chairman, I am in accord with the gentleman's amendment.

Mr. SCOTT. I move that all debate on this paragraph and amendments thereto close in five minutes.

The question was taken, and the motion was agreed to.

Mr. DAVIS. Mr. Chairman, I am heartily in accord with what the gentleman from Illinois has said and with the particular object and purpose of his amendment, but I am inclined to believe that there is a mistaken idea among some of the members of the committee. I understood that the amendment of the gentleman from Illinois was directed chiefly to the breeding of fibrous plants that might be tested and successfully used in the manufacture of paper. I ascertained more recently, however, that there was a dispute, if I may use that word, as to which bureau or department of the Government should particularly have charge of testing material for the making of paper.

Mr. MANN. I hope the gentleman from Minnesota will not use that word; I never have heard the term used, or any question of dispute, and I do not think there is anything in it.

Mr. DAVIS. Then I withdraw the word "dispute." I used it gingerly to ascertain the nature—

Mr. MANN. I do not think there is any dispute between the departments about it at all.

Mr. DAVIS. Mr. Chairman, I would suggest the following amendment as a substitute for the amendment offered by the gentleman from Illinois.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

Mr. DAVIS. It may not be in proper language, and I would like to read it from my place on the floor. After the word "dollars," in line 3, on page 17, insert the following:

For breeding of fibrous plants which may be used for paper making, \$10,000.

The paragraph under discussion is for general plant breeding and cooperative plant breeding demonstrations, \$14,840. That is not directed at any specific proposition, and the object of the substitute amendment which I propose is particularly to call the attention of the Bureau of Plant Industry to this proposition, that \$10,000 shall be used for the purpose of demonstrating by plant breeding any fibrous plants that in their judgment might be used for paper making.

Mr. MANN. Will the gentleman yield?

Mr. DAVIS. Certainly.

Mr. MANN. I would have no objection to the amendment of the gentleman, which would be subject to the point of order if the point of order were made. I think myself that the gentleman's amendment is better than mine, although I offered one not subject to the point of order.

Mr. DAVIS. Well, will the gentleman accept this as a substitute providing the Chairman does not rule it is subject to the point of order?

Mr. MANN. It would be perfectly agreeable if no point of order is made.

Mr. DAVIS. I think, Mr. Chairman, this would solve the problem, and it would fit in very admirably with the provisions of the bill on page 46, under the item of "Miscellaneous," which reads as follows:

Paper tests: To enable the Secretary of Agriculture to test such plants as may require tests to ascertain if they be suitable for making paper.

Now, that would be all right. The \$10,000 there could be properly used for the purpose for which it is specified by the Secretary of Agriculture; but if the Bureau of Plant Industry could breed a plant or plants and thus improve the fibrous quality thereof for paper making that this amendment of mine seeks to have them do, it certainly would not conflict in any way with the appropriation of \$10,000 on page 46.

The CHAIRMAN. The time of the gentleman from Minnesota has expired. The question is on agreeing to the amendment offered by the gentleman from Minnesota as a substitute to the amendment offered by the gentleman from Illinois.

Mr. MANN. The amendment has not been reported yet, Mr. Chairman.

Mr. DAVIS. I have offered this amendment verbally from my place.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Substitute for the amendment offered by the gentleman from Illinois the following:
"For breeding fibrous plants which may be used for paper making, \$10,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chair announced the ayes seemed to have it.

Mr. SCOTT. Mr. Chairman, I believe I will ask for a division on that question.

The committee divided; and there were—ayes 41, noes 23.

So the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Illinois, as amended by the amendment offered by the gentleman from Minnesota.

Mr. SCOTT. Mr. Chairman, I understood the amendment offered by the gentleman from Minnesota is in the nature of a substitute to the amendment offered by the gentleman from Illinois.

The CHAIRMAN. The Chair stated the question correctly, that the amendment was offered in the nature of a substitute.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, may we have the amendment and substitute reported?

The CHAIRMAN. Without objection, the Clerk will again report the amendment and substitute amendment.

The amendment and the substitute amendment were again reported.

Mr. GAINES of Tennessee. Mr. Chairman, as I understood that amendment, it was not for the purpose of making paper, but for growing plants out of which we are to make paper.

Mr. DAVIS. Yes.

Mr. GAINES of Tennessee. If it is in order, I would like to offer an amendment on that patent question to this effect:

Provided, That all discoveries in making paper by the Department of Agriculture shall be patented in the name of the Secretary of Agriculture for the use and benefit of the United States and the people thereof.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk reported the amendment.

Mr. SCOTT. I will reserve the point of order on that.

Mr. GAINES of Tennessee. Mr. Chairman, I ask unanimous consent to withdraw that amendment for the present, and I will offer it later.

The CHAIRMAN. Without objection, the amendment may be withdrawn.

There was no objection.

The Clerk read as follows:

For the study and demonstration of the best methods of meeting the ravages of the cotton boll weevil, \$146,470.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I move to strike out the last word. This is a matter of very great, in fact of vital, importance to a number of us here. I want to ask the chairman of the committee something about it. The recommendation of the official under whom this appropriation will be administered was for an increase of \$150,000. The increase carried in this bill is a little less than \$50,000. I will ask the chairman of the committee if he does not believe it would be the part of wisdom for the House to grant a larger appropriation than that carried in this bill?

Mr. SCOTT. Mr. Chairman, the committee considered this matter very carefully, having the advantage of the advice of the gentleman from Mississippi and others on this floor, who appeared before the committee to represent the interests in their localities, and the committee, as a result of its deliberations, has recommended the amount that appears in the bill.

I should like to call the attention of the gentleman from Mississippi to the fact that while only \$146,470 is carried in this particular paragraph for this work, there is carried under the Bureau of Entomology \$42,000; so that the total amount available for work in combating the boll weevil is about \$190,000. In addition to this amount, as the gentleman well knows, there is a considerable sum available through the National Educational Board, which is used in cooperation with the officials of the Bureau of Plant Industry in carrying on the work which they are doing for the purpose of combating the boll weevil; and, still further, considerable sums are contributed by the localities, not as great as ought to be, in my judgment, yet enough to very largely increase the total amount. It is the opinion of your committee that we ought to give for this purpose a little less than is actually needed, rather than quite as much or a little more, because if we give not quite so much it certainly has a tendency to stimulate local contributions; and in work of this character, which is not investigational so much as it is demonstrational, it is the judgment of the committee that localities immediately benefited ought to contribute at least a reasonable portion of the expense.

Mr. DOUGLAS. If the gentleman from Mississippi will yield for a moment while I ask a question I desire to ask of the gentleman in charge of the bill, I will be much obliged.

Mr. HUMPHREYS of Mississippi. I yield.

Mr. DOUGLAS. I have a memorandum here to ask the well-informed chairman of the committee why it is that an appropriation of \$150,000 is carried in one bureau and \$42,000 in another bureau for identically the same purpose?

Mr. SCOTT. Because the work is carried forward along two entirely separate lines. The work of the Bureau of Plant Industry is to demonstrate by cultural methods, the selection of seed, and in other similar ways how cotton may be grown in spite of the boll weevil. The work of the Bureau of Entomology is to follow the life history of the weevil and attempt to get at the problem from that point of view, to ascertain what method may be best used to assist in its extermination. And they are having very gratifying success along that line, I may say, particularly in the direction of the introduction of parasites from other countries.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I would like to ask the chairman of the committee about that appropriation for the Bureau of Entomology. We have not yet reached it, but he has suggested it. The conditions of life, it is thought by the Chief of the Bureau of Entomology, in the delta sections of Mississippi and Louisiana are very different from the conditions of life under which the boll weevil has heretofore existed, and in the opinion of that bureau it is worth while to make a particular study of the weevil in those localities, and he is anxious to have a sufficient fund to establish an entomological laboratory there. I will ask the chairman now if the increase carried in the paragraph appropriating \$42,000 for the Bureau of Entomology, to which he has referred, is intended by the committee to be applied by the chief of that bureau for that purpose?

Mr. SCOTT. I would prefer to discuss the Bureau of Entomology when we get to it, but since the gentleman has asked the question I will answer it by saying that it is the expectation that with the increased appropriation it will be possible to establish the laboratory to which he refers.

Mr. HUMPHREYS of Mississippi. And that is the intention?

Mr. SCOTT. The increase was made with that expectation.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I have a good many figures and statements from those who are in po-

sition to understand this question of the boll weevil thoroughly, the extent of its ravages, and so forth, that are very interesting to those parts of the country that are now affected, and I will ask, for that reason, permission to extend my remarks in the RECORD.

The gentleman from Kansas is mistaken, I think, when he says that the general education board is contributing to this fund. Their allotments go exclusively to States unaffected by the weevil, the effort being to notify the farmers of the approaching danger, and by introducing these new processes to prepare them for the wrath to come. I am not complaining, however, about the appropriation which is carried in this bill. It is an increase of some \$50,000 over the amount provided in the last bill, and I suppose I can say without violating any confidences that it is not only the expectation but the intention that an equal additional increase will be put on in the Senate. In the light of our past experiences, I believe I can say that this will be seed sown upon fertile soil and will return to us an hundredfold.

In discussing the question of cotton production in the Southern States, it is difficult for anyone not conversant with conditions there to understand its vital relation to our people and that in most of the South it is the principal cash crop, and in a large portion of the South the sole cash crop; and, consequently, financial conditions are very sensitive to the question of cotton-crop production.

I believe that it is of the highest importance to maintain this crop and that we can not readily change to a diversified agriculture that shall omit cotton; and, in my opinion, it would not be wise to do so, because cotton is one of the great staples of the world. The boll weevil from Mexico has invaded the cotton territory and proven an enemy of no insignificant force in this question of production; but the damage due to actual destruction of cotton in sections where the boll weevil has first appeared has been grossly exaggerated, and it is evident from investigations that I have made that a successful crop of cotton can be grown in spite of the boll weevil if the right methods are followed. There may be some years when it will be less and some years when it will be more, but a good average can be produced even with the boll weevil at its worst. Study of the effect of the weevil on the Texas crop before and since it has covered the entire cotton-producing portions of that State has given me greater confidence in the future of the cotton industry than I had before.

There is always a class of people who take the pessimistic side of every question and seem to glory in alarming somebody, or, if there be any alarm, in intensifying its effect. There are two elements of disaster which attend the invasion of the boll weevil, one results from the actual destruction of cotton and the other from the condition of panic which takes possession of every community upon the arrival of the pest, and I am not sure which is the greater. Sane men, cool men, men who are conservative in all the affairs of life are startled to such alarm as has not been witnessed since General Grant landed his army at Bruinsburg. Bankers decline to extend further credit to merchants upon whom the farmer must rely for the assistance necessary to make a crop, and the tenant thus deserted must seek other fields of endeavor. Plantations are either deserted or sowed to some other crop, and when as a necessary result of such conditions the cotton yield of that particular section falls off materially from the average yield, that fact is heralded on the wings of the morning to strike further terror to the territory yet to be invaded. The alarm caused by the approach of no invading army in the history of the world ever bore such abnormal relation to actual devastation in its rear as the terror which the threatened attack of the boll weevil bears to the actual work which he does. In front of him men are fleeing the cotton field and in some instances sacrificing their property, while behind him the fields are still white in waving beauty and real estate higher than ever before.

I would not be understood as minimizing the seriousness of the situation which confronts us, nor of underestimating the damage which we are sure to suffer; but I do believe that the disaster which must befall every community, if all credit is withheld by the banks, can be largely averted if we can get not only the truth, but the whole truth, before those whose judgment must direct the conduct of the banks.

The problem which confronts the planter in the Mississippi Delta is twofold. He must allay the panic which is liable to take possession of his tenant and his banker, not one or the other, but both, and to do this he must answer the question, Can cotton be profitably grown in spite of the boll weevil? In order to answer this let us inquire, Has it been done elsewhere? Can it be done in this delta? and first, Has it been done elsewhere?

The Department of Agriculture has answered this question most emphatically. The Bureau of Entomology, under the

efficient direction of its chief, Doctor Howard, and the division of farm demonstration work, under Doctor Knapp, have rendered invaluable service to the cotton planters and to the country by their ceaseless labors, and I wish now to make my bow to them both. I shall have more to say about the work of the Bureau of Entomology when we reach that paragraph in the bill; but as we are now considering the item which carries the appropriation for the farm demonstration work, I will refer more particularly to it. As the weevil has been in Texas for a number of years and we are able to study the statistics for this longer period, it will be interesting to know just what the facts there are.

The figures for a single plantation or a single county can not always be relied upon as furnishing an accurate index for general conclusions, but where the same cultural methods are introduced in a great number of different localities with practically unvarying results, we may safely base conclusions on these results. I shall print in the RECORD, as an appendix to my remarks (Appendix A), a list of farmers who have made experiments under the supervision of this division, planting 1 or 2 acres in their fields for that purpose, using the seed furnished and observing faithfully the cultural methods prescribed. There are 112 in all, taken from widely different communities, but all telling the same story of success. Nothing unreasonable is required of these farmers. There is not a more practical man in the United States than Doctor Knapp. He has simply adopted a system of cultivation that any farmer can readily follow with the implements he now uses on his farm. These farmers produced—in the very worst of the boll-weevil territory, mind you—from three-fourths to a bale and a half per acre. His agents visit the farmers and agree with them to furnish the seed for the experiment and to supervise the working of the crop, in this way carrying the practical lesson to the very men who need it most. In order to carry this work on successfully, it is necessary to have an agent for each county.

I agree with the chairman of the committee that it is not desirable that we pay all the expense of maintaining these experts. I believe a part of that burden should be borne by the counties or States, and in the district which I have the honor to represent we are doing our part. Some of the counties in Mississippi are paying half the expense of the expert and some even more than that. I have a most interesting and instructive statement, prepared by a number of prominent cotton growers in Harrison County, Tex., which I shall print as an appendix to my remarks (Appendix B), and which will be all the more interesting when we recall that Harrison County was one of the worst infested counties in the State; that the rainfall there is about 50 inches per annum; and that, according to a statement from the department, "nearly every farm is surrounded by timber." Here is the statement at length:

Harrison County, Tex., bordering on Louisiana, has a rainfall of about 50 inches per annum. Nearly every farm is surrounded by timber.

During the general alarm caused by the advent of the weevil, many farms were abandoned in 1907, and others diversified so that there was an enormous reduction in the crop, due in part to the weevil, but, as many believe, to a great extent to the reduction in acreage caused by the alarm.

In the spring of 1907 the farmers' cooperative demonstration work was introduced, but so late as not to have its full effect. Several hundred sample plats were distributed through the county. The effect of the work has been to restore confidence and, in a large measure, cotton production. The following letters from prominent citizens of that county will explain the situation.

The letters referred to are the ones I will append to my remarks when this speech appears in the RECORD. This letter is so pertinent that I will insert it right here in the body of my speech. Mr. Twyman is a merchant of Marshall, Tex., and knows whereof he speaks:

MARSHALL, TEX., January 26, 1909.

DR. S. A. KNAPP,
Washington, D. C.

DEAR SIR: The people of Harrison County are very grateful for the work done by you during the last two years, for they feel it was indeed timely and saved many from bankruptcy. Many deserted their crops during 1907, but the presence of yourself, Mr. Proctor, and Mr. Plunkett kept up the courage of many, who, by their devotion to their crops during the boll-weevil scare, demonstrated to the rest of their countrymen that a crop could be made, even with the weevil present.

We believe that your work here prevented the depreciation of our lands in value and also kept our farmers from scattering over the world.

Marshall and Harrison counties are now on quite a boom.
Yours, respectfully,

W. T. TWYMAN.

I have a very interesting statement compiled from the figures of the Census Office showing the yield per annum from 1903 to 1908 of the entire State of Texas, from which it appears that the total crop has not been seriously diminished. Various reasons have been assigned for this which I will discuss briefly, but one fact does unquestionably stand out quite prominently and that is that cotton can be produced and produced at a profit even

with the boll weevil present and at work. Just how much cotton Texas would be producing if the weevil were not there is another question. I have heard the statement that you can prove anything by the census figures. Be that as it may, I have a table here showing the production in Louisiana and Texas for some years past, and I shall print that, too, as a part of my speech (Appendix C). The point I wish to emphasize is simply this, not that the boll weevil is not a most destructive pest, because it would be very stupid to say any such thing, but that it is not an accurate treatment of the figures to charge every slump in the yearly crop—as, for instance, in the crops of 1905 and 1907—to the ravages of the boll weevil. These same slumps came before the weevil invaded the United States. For instance:

Table showing difference between total production in bales of cotton in the years 1904 and 1905.

	Texas.	Louisiana.	Arkansas.	Mississippi.
1904.....	3,132,503	1,107,271	916,945	1,808,617
1905.....	2,490,128	523,871	615,837	1,198,508
Difference.....	642,375	583,400	301,608	610,049
Per cent loss.....	20+	52+	32+	33+

This table was prepared for me by the Department of Agriculture, with this explanatory note:

The foregoing table shows the great fluctuation in cotton production from one year to another, regardless of the presence of the boll weevil. Taking the years 1904 and 1905, the first was a good crop year in the State of Texas, Louisiana, Arkansas, and Mississippi, and the second was a poor crop year. The weevil had but just entered the border of Louisiana, but owing to conditions in the fall of 1904 and the winter of 1904 the effect of the weevil was scarcely to be taken into account in Louisiana in the periods mentioned.

The above table shows that the percentage of loss from the first to the second period in Texas, with the boll weevil over considerable of the State, was 20 per cent. In Louisiana, with the boll weevil over only a few counties and in those not disastrous at all, the loss was 52 per cent. In Arkansas, with no boll weevil, the loss was 32 per cent; and in Mississippi, with no boll weevil, the loss was 33 per cent.

I have another table to the same effect, which was also prepared for me by the department, which shows the yield per acre:

Showing the fluctuation in production of lint cotton per acre between two consecutive years in the State of Texas.

	Per cent.
Loss from 1870 to 1871.....	34
Loss from 1878 to 1879.....	36
Loss from 1880 to 1881.....	30
Loss from 1892 to 1893.....	48
Loss from 1894 to 1895.....	36
Loss from 1895 to 1896.....	31
Loss from 1906 to 1907.....	42

All of these figures are intended to show and only to show that it is not an accurate, but, on the contrary, a very erroneous conclusion to draw that the weevil is responsible for all the short crops.

The statement is made by some that in the eastern and central portions of Texas the cotton production has greatly declined, and that the reason the State has maintained its general average is due to extension of the industry into the western or drier portions of the State and into portions where the boll weevil has not yet appeared. This will not bear investigation. This table will prove interesting in this connection:

	1903.	1904.	1905.	1906.	1907.	1908.*
East.....	651,651	889,452	460,100	898,973	473,945	788,323
Central.....	1,239,290	1,633,352	1,374,412	2,080,652	1,157,561	1,896,285
Semiwest.....	446,888	422,658	426,493	720,241	318,362	789,799
West.....	68,317	116,741	171,713	257,753	258,153	200,450
Total.....	2,406,149	3,062,203	2,432,718	3,957,619	2,208,021	3,671,857

* Estimated at 10 per cent above the census ginner's report of December 13, 1908, and leaving out 30,397 bales reported as scattering.

The official who prepared this table for me said in explanation:

I took a map of Texas and ran a line from north to south, covering the wooded portion and the portion of greatest rainfall in Texas, averaging from 40 to 50 inches per annum. I then drew a line west of the great central portion, or black prairie region, which has produced frequently more than one-half of the cotton crop of Texas. This also extends from north to south and has an average annual rainfall of from 30 to 40 inches. In the division west of this I included the counties that had produced no crop of any great extent, and this division covered such territory as has a range of about from 18 to 30 inches of rain per annum. All the territory west of this, with a rainfall of from 18 inches down to 10 inches, was included in the fourth section, which produced in 1903, 68,317 bales of cotton.

In general terms it may be stated that the wooded portions, nominally called "eastern Texas," generally produced about one-fourth of the cotton crop, the central portion about one-half,

the semiwest, or sometimes called "semiarid," about one-fourth, and the western portion but a small per cent of the production. These figures show that in the last five years, during which period the weevil extended over the entire area, there has been an increase of actual production in the central and eastern divisions amounting to several hundred thousand bales.

They show, further, that the cotton crop of 1906 is over 900,000 bales more than the crop of 1904, though much greater territory was covered by the weevil in 1906. This great increase is due mainly to greater production in the central and eastern portions of the State; and in the great increase of cotton in 1908 over 1907, amounting to over a million and a half bales, over a million are to be credited to the central and eastern portions.

Another very interesting fact appears from the figures which the department has furnished, and that is that the yield per acre has been greater during the last five years—that is, 1903 to 1908—than in the preceding five-year period, 1898 to 1903, the exact increase being an average of 7.4 pounds. From this it seems clear that the new territory planted in cotton beyond the area of boll-weevil infection is not responsible for the fact that the total yield of the State is about normal. Another interesting fact which throws much light on this phase of the situation is that the center of production for the State has not moved 10 miles in the last four years.

To summarize, we have reports from 112 individual farmers in Kaufman County, Tex., Webster and De Soto counties, in Louisiana (Appendix A), showing that good crops have been made in spite of the weevil.

The report of the committee of farmers of Harrison County, Tex. (Appendix B), giving successful results from 300 demonstration crops, certified to and indorsed by the county judge.

Report of the special agent of the Department of Agriculture at Marshall, Tex. (Appendix C.)

Census figures, which show the total crop in the boll-weevil sections of Texas to be as large as ever and the yield per acre to be equally as great.

In view of these facts, I feel warranted in giving an affirmative answer to the question, "Has cotton been successfully grown elsewhere under boll-weevil conditions?"

I will now direct my remarks to a discussion of the other inquiry, "Can this be done in the Yazoo Delta?"

We have all grown familiar with the prophecy that the weevil will find conditions just suited to his hand in the wet timbered delta, where all vegetation is so luxuriant in weed and foliage. The prophet of evil has pitched upon this much-favored section as the bright particular object of his maledictions. Not maliciously, of course, but none the less persistent, until even now, before the weevil has actually begun his work of destruction, panic stands upon the borders of the delta, threatening to invade us with results equally if not more calamitous than the ravages of the weevil have ever been.

If any prophecy can be indulged with assurance from the facts now known, it is quite certain that the weevil in a comparatively few years will have spread over the entire cotton producing area of the United States. How vain, then, and senseless any exodus from one section of the cotton belt to another in an effort to get away from the weevil. True, this has not hurt the delta so far, but if the planters there are to hold the labor, which they now have in some plenty, it will be necessary to convince the banker that these prophecies of evil are not well founded. If the planter can get no advances he can not supply his tenants, and if the tenant is thrown upon his own resources for the bread that is to keep body and soul together he must of necessity leave the farm and seek another field for his activities. All this can be prevented if we can reassure the timid, and the way to do that is to satisfy them that cotton can be grown in the delta at a profit after the weevil comes. To this end every county should at once join hands with Doctor Knapp and employ an expert to establish and superintend these demonstration farms just as has been done in Texas and Louisiana. His cultural methods are radically different from those now in vogue on most of the delta plantations, but they are simple, and experience has demonstrated their value. The sooner this is done the better, and I am glad to be able to say that a number of the counties are doing it now.

It would be money well spent if there was no such thing as the boll weevil. I shall print (Appendix D) a letter from a man who terms himself a "single-handed" farmer, which shows not only the character of the work that is being carried on by the department, but the good effect produced where it is most needed. This man will not be panic-stricken when the weevil reaches him.

Washington County has an expert who will give his entire time to that county, and now Coahoma has done likewise. Each county pays \$1,200 toward the salary of its expert and

the department here pays the balance. But to return to the question, Can cotton be successfully grown in the Yazoo Delta after the boll weevil comes? Until we have been through the fire we can not, of course, answer this question, as Texas has done, by pointing to the record of the thing actually done, but it is entirely competent to ask, If Texas has done it, why can not we? The first answer we always have to this inquiry is that, being a heavily timbered section, where the annual rainfall is very heavy, our situation discourages us to hope for success. That the delta is a heavily timbered section and that our rainfall is quite heavy can not be denied, but both of these untoward circumstances will bear investigation and analysis.

I have taken this excerpt from a statement furnished me in response to my request by the Department of Agriculture:

It is claimed by all experienced in handling the boll-weevil problems that an important factor is to have sunshine so as to destroy the larvae in the squares. The question of the ultimate rainfall in the course of the year is not so much a problem in cotton production as when that rainfall comes. It might come in the winter and make no particular difference, or if it comes in the summer the number of clear or sunshine days has a most important bearing. A light rainfall accompanied by cloudy weather would be practically as bad as a heavy rainfall followed by clear weather.

Accepting this statement as authoritative, and we must so accept it considering its source, it will be interesting to examine the reports of the Weather Bureau as shown in the following tables:

Annual precipitation.

	1905.	1906.	1907.	1908.
Shreveport, La.	63.12	34.35	89.50	(*)
Greenville, Miss.	68.65	54.65	45.99	(*)
Dallas, Tex.	55.02	44.61	35.84	(*)
Yazoo City, Miss.	57.43	52.11	47.35	(*)

Precipitation, April to August, inclusive.

	1905.	1906.	1907.	1908.
Shreveport, La.	36.94	18.98	18.86	26.63
Greenville, Miss.	34.91	17.40	11.31	26.03
Dallas, Tex.	29.73	28.03	16.63	21.82
Yazoo City, Miss.	24.71	19.35	24.17	31.52

Clear days, April to August, inclusive.

	1905.	1906.	1907.	1908.
Shreveport, La.	67	72	84	60
Greenville, Miss.	71	96	92	81
Dallas, Tex.	73	60	74	56
Yazoo City, Miss.	84	92	91	85

* Not yet available.

From this table it will be observed that while the annual rainfall in the delta towns (which the department says "is not so much a problem") is heavier than Shreveport or Dallas, the number of sunshine days during the growing season (which the department says "is an important factor") is much larger.

Taking Dallas, Sulphur Springs, Paris, Rockland, Waco, and Wills Point as representing fairly the cotton area of Texas; Shreveport, Monroe, Simmsport, Alexandria, and Baton Rouge as representing fairly the cotton area of Louisiana; and taking Yazoo City, Greenville, and Greenwood for the Yazoo Delta, we find that the number of sunshine days during the crop-growing months of the past four years averages, for Texas 58.67, for Louisiana 76, and for the Yazoo Delta 80.08.

The rainfall is heavier to be sure, but the department says in the extract just referred to, "The question of the ultimate rainfall in the course of the year is not so much a problem in cotton production as when that rainfall comes." The number of sunshine days in the delta during the crop-growing months, as seen, is larger in the delta than in Texas or in Louisiana, and in the light of this fact it is pertinent to read again the statement of the department:

It is claimed by all experienced in handling the boll-weevil problems that an important factor is to have sunshine so as to destroy the larvae in the squares.

And now as to the other element of disadvantage which handicaps the delta planter—the fact that the delta is a heavily timbered section. By referring again to the table showing the crop of Texas by subdivisions for the past six years, we may be able to get some further light on this phase of the question. Bear in mind that the eastern division is the timbered section, where the rainfall is heaviest, averaging from 40 to 50 inches per annum. The central division is the black prairie region, with a yearly rainfall of from 30 to 40 inches. The semiwest (sometimes called the "semiarid") embraces those counties west of the great central belt, where the rainfall is from 18 to 30 inches; and the fourth division comprises all the State still farther west, the rainfall there being from 10 to 18 inches.

Total bales produced.

	1903.	1904.	1905.	1906.	1907.	1908.*
East.....	651,651	889,452	460,100	898,973	473,945	783,323
Central.....	1,239,290	1,633,352	1,374,412	2,080,652	1,157,561	1,896,285
Semiwest.....	446,888	422,658	426,493	720,241	318,362	783,799
West.....	68,817	116,741	171,713	257,753	258,153	290,450
Total.....	2,406,146	3,062,203	2,432,718	3,957,619	2,208,021	3,671,857

* Estimated at 10 per cent above the census ginners' report of December 13, 1908, and leaving out 30,397 bales reported as scattering.

A careful reading of these figures discloses the fact that, while there has been a very great fluctuation in the total crop from year to year, the variation in the timber section is no greater than in the prairie section. For instance, the decline in cotton production from 1906 to 1907 in the several sections enumerated was 47 per cent in the eastern division, 44 per cent in the central, 55 per cent in the semiwest, and there was a small increase in the west or arid, so that the entire decline was in the older portions of the cotton-producing counties, and the largest per cent decline was in the drier portion of the State. If the year 1907, which was a year of poor production and poor climatic conditions, be compared with 1905, another year of poor production, it will be noted that, while the total crop of 1907 was about 230,000 bales less than that of 1905, the eastern or timber division, the wetter portion of the State, shows a gain of over 13,000 bales, while in the semiarid portion there was a loss of over 100,000 bales, and in the prairie section the loss was more than 200,000 bales.

It may be considered very little consolation that the wet-land or timber-land farmer fares no worse than his neighbor in the prairie, since the figures show the falling off in one section of 44 per cent and in the other 47 per cent, which means practical ruin in either event. This is a very serious phase of the whole boll-weevil situation, because these figures are constantly paraded to show that all cotton planters are doomed to the demotion bow wows, whether the highland or the lowland goes first. But what about the crop in those States where there is no boll weevil? Take the counties in the Yazoo Delta, where there was no weevil, and we find that the crop in 1905 fell off from the crop of 1904 in Washington County 35 per cent; in Sunflower County, 40 per cent; in Quitman County, 43 per cent; and in the whole delta, 38 per cent; and in eastern division of Texas, 48 per cent. In other words, the falling off in the wet and timbered section of Texas, overrun by the weevil, was only 10 per cent greater than the falling off in the wet and timbered delta of Mississippi, without the weevil.

The following year, 1906, being a favorable crop season, both sections—that is, the timbered district of Texas and the delta counties of Mississippi—returned to their normal yield. Taking 1904, the high-water mark in cotton production, as a basis for comparison, we find that the weevil-infected district of Texas produced 9,521 bales more than 1904, while the delta counties of Mississippi made 38,295 bales less than 1904.

	1904.	1905.	1906.
East Texas division (timbered and wet).....	889,452	460,100	898,973
Yazoo Delta.....	413,738	255,819	345,443

In view of all these facts, which are beyond any question or refutation, I believe it is unreasonable and unwarranted to predict or believe that cotton can not be produced in the delta counties simply because they are in a heavily timbered region and the annual rainfall is heavy, or to expect the damage from the ravages of the weevil to be any greater there than elsewhere or to any extent more prolonged.

Convincing as these figures are to me that cotton can be produced at a profit in spite of the weevil, I would not accept them if their lesson had not been confirmed by statements from gentlemen whose experience in the very territory affected enables them to speak with knowledge. I began by saying that I was not certain which was the element of greatest disaster, the destruction of cotton or the panic which the weevil produces when he first enters a community. I believe I would be warranted in saying that the panic has done more than the bug. I have a communication from a gentleman who has had a number of years' experience in different sections of Louisiana and Texas which have been overrun by the weevil, and I quote from it to show that my opinion is shared by others who are in a position to know whereof they speak:

The greatest disaster that seems to come to a section is the fright. Our people make their cotton largely by means of advances from merchants and bankers. All the advances are withdrawn upon the advent of the weevil; consequently the farmer is obliged to discharge his em-

ployees and cut down his acreage enormously. In addition to this, many small farmers that receive advances abandon their farms and remove to other territory or go into other business. The large farmers diversify extensively—that is, put in other crops—because they have not the means to pay for cultivating such large areas in cotton. This immediately reduces the crop, and then the alarmist cries "Look and see what an immense decline has occurred, due to the weevil." When the labor has gone and the small farmers have abandoned their farms and the larger farmers have commenced to diversify, it takes some time to get back to a normal condition, and the surprise is that the State of Texas should show such a record of recovery. We think it is largely due to the government work that has been put in, because we concede that the boll weevil is a bad pest, and we admit that certain things must be done.

A different kind of cotton must be planted, a cotton of earlier maturity, different habits of growth and fruit production, in some cases different bolls. Then the method of cultivation must be changed, all of which requires time and requires that some one give it attention to prevent great disaster coming to the people. It is my opinion that the Department of Agriculture has the problem well in hand, and will be able to handle it provided we furnish the means sufficient to send men into the field and do the following things:

First. Stop the alarm and show the people that a crop can be made, regardless of the presence of the weevil.

Second. Point out the kind of cotton that should be raised under boll-weevil conditions and how to cultivate it so as to secure a crop.

I have another letter which I shall print in full. It is from the gentleman who has charge of this farm demonstration work, and who has had much experience in the campaign which has been waged against the boll weevil. I do not believe there is a man in the United States who is better qualified by training and experience to speak advisedly, and I commend his letter to the consideration of everyone who is earnestly seeking light on this most important subject. The letter is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF PLANT INDUSTRY,
Washington, D. C., February 1, 1909.

Hon. B. G. HUMPHREYS, M. C.,
Washington, D. C.

DEAR SIR: You have frequently asked me in regard to the ravages of the boll weevil.

I have been raising cotton in Louisiana on a more or less extensive scale for twenty-two years, and have been familiar with the history of cotton in the Southern States during that period. In January, 1904, I opened an office in Houston and commenced the demonstration work on a large scale. The greatest obstacles that I had to overcome in this effort to make a cotton crop were the following:

1. The general impression that under certain conditions the people could not make a crop.

2. The withdrawal of advances by bankers and merchants, causing disaster.

3. The people were obliged to change their general methods; that is, change their variety of cotton planted and produce their own food supplies upon their own farms. This requires time.

For instance, at that time it was asserted that while they could make a crop in the prairie section, in the eastern section, where the small farms are almost universally surrounded by woods, hibernating conditions would be so good that enough weevils would winter over to destroy the crop; and, furthermore, the timber section of east Texas has a much greater rainfall than the central or western prairies of that State. I have seen no counties more thoroughly demoralized by such reports than those along the line of the Houston and Texas Central Railway in central Texas; for examples, Limestone and other counties. In this section, upon reliable testimony, about one-half the farms had been abandoned and the acreage on the others greatly reduced, so that the crop fell in 1903 to a small per cent of what it was in former years. Almost our first work in 1904 was to furnish supplies of cotton seed and seeds for truck, melons, potatoes, and other products upon which the people could live. We were obliged to urge the merchants and banks to give some credit, or the whole civilization would have gone to pieces. Of course there were a good many doubters and some who refused to follow, but in the main people did their best, and as a result they found themselves in better condition in the fall of 1904 than they had been for years. Confidence was restored, and there has been a steady progress in that county ever since until the past year, 1908, when they produced one of the largest, if not the largest, crop of cotton ever produced in the history of that county.

The loss of confidence and the withdrawal of the loans by the banks and merchants, where the crop is almost universally made on the advance system, compelled larger farmers to put in about one-half the crop, while the smaller farmers and a large majority of the labor leave the country and go to sections where they can secure labor for the support of their families. This same story has been repeated as the weevil advanced eastward, all through eastern Texas, and it has required the greatest effort on our part to restore confidence and to bring the people back to believe that they can produce cotton with the boll weevil present. The effect of this fright is greater where there is more timber and sawmills and where the people can readily get other work. In Marshall County, on the eastern line of Texas, a normal crop of cotton was formerly over 20,000 bales. Notwithstanding our putting in a large number of sample farms, so that the people might be convinced that a cotton crop could be made, in 1907 the panic was so great that but a small acreage was planted, for the people believed that a crop of cotton could not be made. At the end of 1907 confidence was restored, because our demonstration plots showed that a crop could be made, and as a result, the people gradually returned to their farms, and those who had not abandoned their farms extended their cotton area until the crop of 1908 will approximate 20,000 bales, with a prospect of a much greater crop the ensuing year. Many letters in my possession indicate that the people have no fear of the weevil and are just as confident of making a crop under heavy rainfall and timbered conditions as before the weevil appeared.

The history of eastern Texas will be repeated so long as the people become panicky on the advent of the weevil. Certain things must be done—an earlier maturing and more prolific variety of cotton must be planted, and different methods of cultivation followed; but the main work is to keep the people from being panic-stricken, and induce them to do something to help themselves. It is not altogether, however, the people; the moneyed interest withdraws and the people are not es-

pecially to blame for not being able to put in as much cotton as they would under other circumstances. I feel confident that, with proper attention, your people in Mississippi need not fear the advent of the weevil.

Respectfully, yours,

S. A. KNAPP,
Special Agent in Charge.

APPENDIX A.

The following is a list of a few demonstrators and their yields in the vicinity of Terrell, Kaufman County, Tex., and is in the territory infested by the Mexican cotton boll weevil.

One thousand three hundred pounds of seed cotton of the varieties shown will make a 500-pound bale of lint cotton, whereas ordinary cotton requires about 1,500 pounds of lint to make a bale.

Cotton crop, 1908.

Name.	Address.	Variety.	Yield seed cotton per acre.
			Pounds.
W. Warren.....	Kaufman.....	Triumph.....	1,500
B. Warren.....	do.....	do.....	1,800
G. S. Phillips.....	do.....	do.....	1,500
A. C. Vall.....	Kemp.....	do.....	1,500
W. R. Lagow.....	Scurry.....	do.....	1,800
J. W. Duke.....	do.....	do.....	1,800
J. W. Stanfield.....	do.....	do.....	1,500
F. M. Stoy.....	Terrell.....	do.....	1,800
J. N. Stallings.....	do.....	do.....	2,200
O. P. Walton.....	do.....	do.....	2,200
H. P. Gaines.....	Elmo.....	do.....	1,600
D. T. Weddington.....	Terrell.....	do.....	1,800
J. R. Choate.....	Elmo.....	do.....	1,000
B. H. Conway.....	do.....	do.....	1,400
J. C. Lyon.....	do.....	do.....	1,000
Squire Peters.....	do.....	do.....	1,000
O. J. Ledbetter.....	Forney.....	do.....	1,400
A. S. Taylor.....	do.....	do.....	1,600
E. G. Dunsom.....	Kaufman.....	do.....	1,400
S. E. Greenslade.....	do.....	do.....	1,000
H. N. Hoffer.....	do.....	do.....	1,200
J. W. Bain.....	do.....	do.....	1,200
J. B. Haines.....	do.....	do.....	1,000
J. P. Spence.....	Kemp.....	do.....	1,200
W. C. Brooks.....	Terrell.....	do.....	1,000
W. Wickham.....	do.....	do.....	1,200
W. J. Wickham.....	do.....	do.....	1,200
J. D. McNell.....	Rosser.....	do.....	1,200
W. C. Roberson.....	do.....	do.....	1,200
E. C. Slayton.....	do.....	do.....	1,200
J. Stanfield.....	Scurry.....	do.....	1,500
J. H. Ewing.....	do.....	do.....	1,000
B. Williams.....	do.....	do.....	1,200
A. Peede.....	do.....	do.....	1,000
G. M. Chenouff.....	do.....	do.....	1,000
J. N. Buchanan.....	do.....	do.....	1,000
M. L. McCormick.....	do.....	do.....	1,000
J. F. Carter.....	do.....	do.....	1,000
W. P. Hightower.....	Terrell.....	do.....	1,000
J. P. Springer.....	do.....	do.....	1,200
F. K. McGinnis.....	do.....	do.....	1,200
B. Holland.....	do.....	do.....	1,000
E. P. Piper.....	do.....	do.....	1,000
B. T. Pullin.....	do.....	do.....	1,500
H. Pullin.....	do.....	do.....	1,500
A. H. Beavers.....	do.....	do.....	1,200
O. H. Bodin.....	do.....	do.....	1,200
A. Huff.....	do.....	do.....	1,200
J. S. Grinnan.....	do.....	do.....	1,000
W. H. Lyon.....	do.....	do.....	1,000
J. H. Grannt.....	do.....	do.....	1,200
C. W. Durham.....	do.....	do.....	1,400
E. Langmity.....	do.....	do.....	1,400

The following is a list of a few demonstrators and their yields, in the vicinity of Minden, Webster County, La., and is in the territory infested by the Mexican cotton-boll weevil.

One thousand three hundred pounds of seed cotton of the variety shown will make a 500-pound bale of lint cotton, whereas ordinary cotton requires about 1,500 pounds of lint to make a bale.

Name.	Address.	Variety.	Yield seed cotton per acre.
			Pounds.
J. W. Hortman.....	Hortman.....	Triumph.....	1,800
W. J. Word.....	Minden.....	do.....	1,600
Hugh McDaniel.....	Shongaloo.....	do.....	1,400
J. E. Sexton.....	Jefferson.....	do.....	1,100
J. B. Lee.....	Leton.....	do.....	1,130
S. L. Cole.....	Cotton Valley.....	do.....	1,500
L. L. Houston.....	Sarepta.....	do.....	1,000
J. C. Fulbright.....	Minden.....	do.....	1,300
F. Youngblood.....	do.....	do.....	1,130
W. Alexander.....	Yellow Pine.....	do.....	1,100
D. W. Pratt.....	Minden.....	do.....	1,000
W. M. Canfield.....	Ogilvie.....	do.....	1,000
A. P. Lipscomb.....	Minden.....	do.....	1,000
J. B. Fields.....	do.....	do.....	1,200
W. A. Barrett.....	Grove.....	do.....	1,000
F. M. Sexton.....	Minden.....	do.....	1,100
J. S. Turner.....	do.....	do.....	1,000
W. H. Hortman.....	Heflin.....	do.....	1,000

The following is a list of a few demonstrators and their yields in the vicinity of Grand Cane, De Soto County, La., and is in the territory infested by the Mexican cotton boll weevil.

One thousand three hundred pounds of seed cotton of the varieties shown will make a 500-pound bale of lint cotton; whereas ordinary cotton requires about 1,500 pounds of lint to make a bale.

Name.	Address.	Variety.	Yield seed cotton per acre.
			Pounds.
R. H. Anthony.....	Cook.....	Triumph.....	1,334
C. M. Rassoe.....	Hatcher.....	do.....	1,000
H. T. Copeland.....	Benson.....	do.....	1,250
Walter Noland.....	do.....	do.....	1,300
W. L. Worsham.....	do.....	do.....	1,000
G. W. Tull.....	Grand Cane.....	do.....	1,000
Mrs. S. E. McMicall.....	do.....	Cook.....	1,150
Mrs. I. V. Cowdin.....	do.....	do.....	1,000
B. W. Cowdin.....	do.....	Triumph.....	1,300
O. E. Milby.....	do.....	do.....	1,300
L. H. Richardson.....	do.....	do.....	1,300
W. S. Phillips.....	do.....	do.....	1,100
W. E. McMicall.....	do.....	Rowdan.....	1,500
J. B. Abington.....	do.....	Triumph.....	1,000
David Johnson.....	do.....	do.....	1,467
J. C. Sturgis.....	do.....	Rowdan.....	1,200
G. C. Dixons.....	do.....	Triumph.....	1,040
W. E. Stong.....	do.....	Bank Account.....	1,250
J. F. Fisher.....	do.....	Triumph.....	1,450
W. S. Powell.....	Stonewall.....	do.....	1,325
E. H. Powell.....	do.....	do.....	1,375
J. M. Nelson.....	do.....	do.....	1,125
J. A. Williamson.....	do.....	do.....	1,160
Henry Marshall.....	do.....	do.....	1,000
J. J. and W. A. Louy.....	Gloster.....	do.....	1,250
J. H. Sample.....	Longstreet.....	do.....	1,134
M. Rowe.....	do.....	do.....	1,000
H. W. Dixon.....	do.....	do.....	1,050
Wm. Bigham.....	Mansfield.....	do.....	1,000
Eugene Milford.....	do.....	do.....	1,000
L. A. Lowery.....	do.....	Bank Account.....	1,200
J. T. Guy.....	do.....	Triumph.....	1,200
T. H. Risher.....	Pelican.....	do.....	1,114
W. E. Risher.....	do.....	do.....	1,123
W. D. Coday.....	Logansport.....	do.....	1,250
W. C. Arsett.....	do.....	do.....	1,200
W. C. Clark.....	do.....	do.....	1,000
L. B. Adams.....	do.....	do.....	1,400
E. C. Ashton.....	do.....	do.....	1,000
E. P. Sims.....	do.....	do.....	1,450
Royal Dennis.....	do.....	do.....	1,200

APPENDIX B.

MARSHALL, TEX., October 10, 1907.

Dr. S. A. KNAPP,

Farmers' Cooperative Demonstration Work,
Lake Charles, La.

DEAR SIR: We, the undersigned committee for Harrison County, Tex., make the following preliminary report on the farmers' cooperative demonstration work done the past season in this county.

On account of the ravages of the boll weevil, Harrison County, Tex., was threatened with a disaster in the loss of the cotton crop that would affect every material interest in the county. The loss of money was not the sole consideration; our tenants and farm laborers would, to a large degree, leave the county, and would thus permanently injure our Commonwealth. In this emergency we appealed to the United States Department of Agriculture through you for advice and aid; you came to our county and organized the work in February, 1907, under an arrangement by which the Department of Agriculture would furnish the superintendents and the people of this county would raise enough funds to buy improved seed for the demonstration farms. The citizens of the county promptly raised and deposited in bank \$1,000 and later contributed \$700 more, making a total of \$1,700 invested in better seed. All agreements between the Department of Agriculture and the people were promptly and satisfactorily carried out. Almost without exception this was the worst season this section has ever known for producing cotton, but, without reservation, we wish to make the following statements:

First. The results of the demonstration work have been in the highest degree satisfactory to our people, and they regard this movement as one of the greatest ever made for the upbuilding of our section.

Second. Our people are unanimous in asking for its continuance, and would regard the discontinuance of the work as an untold disaster.

Third. Among the many good things accomplished, we enumerate the following:

(a) It established over 300 demonstration farms, scattered over the entire county.

(b) It taught better culture and introduced better seed. These two items alone were worth more than \$100,000 this year to our county in actual cash, to say nothing of future benefits. The improvement was so apparent that the observing traveler on the highways could pick out every demonstration field.

(c) This demonstration work saved a stampede of tenant farmers and laborers from the farm.

(d) It gave confidence to the merchants and bankers that a crop would be made, and thus promoted credit.

(e) It demonstrated to the farmers that a crop of cotton could be made under extremely adverse condition of weather and insect pests, and they enter another year with perfect confidence.

Great credit for the success of this year's work is due to the excellent supervision of W. F. Procter, state agent for Texas, and to the untiring energy of T. O. Plunkett, local agent.

JNO. H. POPE.
W. T. TWYMAN.
P. G. WHALEY.
M. SCULLY.
H. B. MCWILLIAMS.
W. L. MARTIN.

The committeemen are well known to me and are among the most substantial and reliable citizens of Harrison County, Tex., and I also personally indorse the statements made.

H. S. LITTLETON,
County Judge, Harrison County, Tex.
MARSHALL, TEX., January 27, 1908.

Dr. S. A. KNAPP, Washington, D. C.

DEAR SIR: The year 1907 was a great factor for the cooperative demonstration work, for the fact that it demonstrated beyond a doubt that cotton could be made in a district where boll weevils were as bad as they were ever known anywhere. Our people became easy in their minds about the boll weevil, and there was not a farmer in Harrison County afraid to plant cotton in 1908. The year 1908 was one of unprecedented rainfalls and great floods, which ruined many fields of corn and cotton, and boll weevils were almost as numerous as they were in 1907. With an increased acreage of probably one-third over 1907, more than 17,000 bales of cotton of the 1908 crop have been produced according to the last ginner's report. It is estimated that the yield of cotton in Harrison County for 1908 will reach 20,000 bales.

In 1907 R. R. Scott, of Scottsville, a large planter who furnished his tenants, did not believe we could make cotton and fight the boll weevil. He called in all the men he could from his farms and had them cut cross-ties to pay for the provisions already furnished. The same thing was done by J. M. Furrh, at Elysian Fields, who is about the largest planter in Harrison County. These men and others who took the same course are working with us now, and they never mention the boll weevil with any fear.

The price of lands in Harrison County in the spring of 1907 was at the lowest ebb, ranging from \$4 to \$20 per acre. Since the successful fight against the boll weevil and the general advancement in agricultural work, lands have advanced from 100 to 500 per cent.

TOM O. PLUNKETT,
Special Agent, Farmers' Cooperative Demonstration Work.

APPENDIX C.

Actual production of cotton in Texas and Louisiana.

[From Census Reports.]

	Texas.	Louisiana.
	Bales.	Bales.
1908 *	3,705,761	510,752
1907.....	2,267,293	679,782
1906.....	4,066,472	979,270
1905.....	2,490,128	523,871
1904.....	3,132,503	1,107,271
1903.....	2,454,616	836,334
1902.....	2,475,881	886,365
1901.....	2,491,394	852,448
1900.....	3,368,310	720,088
1899.....	2,556,413	713,929
1898.....	3,363,109	717,747
1897.....	2,822,408	788,325
1896.....	2,122,701	567,251
1895.....	1,905,337	513,843
1894.....	3,140,392	760,757
1893.....	1,997,000	473,000

* Based on Census Bureau Ginner's Report of December 13, 1908, adding the usual percentage of crop not reported.

Production of cotton.

[From Bureau of Statistics.]

TEXAS.	Bales.
1878.....	1,105,133
1879.....	752,500
1880.....	1,224,162
1882.....	1,326,000
1883.....	1,118,000
1884.....	995,400
1885.....	1,332,027
1886.....	1,499,698
1887.....	1,584,131
1888.....	1,594,305
1889.....	1,471,242
LOUISIANA.	Bales.
1878.....	476,629
1879.....	593,431
1880.....	359,147
1882.....	560,000
1883.....	490,200
1884.....	485,200
1885.....	487,722
1886.....	471,974
1887.....	504,622
1888.....	446,778
1889.....	659,180

APPENDIX D.

BERRY, ALA., October 5, 1908.

Mr. S. A. KNAPP.

SIR: I have thought that I would rite you for some time, but for neglect have waited to long. I am one of your demonstrators and as true a one as you have. Words can not express my thanks to you for your help and what you have learned me about farming. This year I had 1 acre, this coming year I ame to put my entire crop in as I did that acre. I am a singlehanded man, no help and renting land. Some say they don't see how I make a living, just me to work and feed two big mules. I tell them that the mules feed themselves and if I make the landowner any money I will make some for me. I think by having an early start that I can get in 8 acres this time, 3 in cotton and 5 in corn. I think I will get 3,000 lbs. of cotton off my acre if it all opens. The seed you furnished me is the finest that

I ever saw, me and two other men picked 100 bolls that Triumph cotton in my acre that weighed 3½ lbs. That beat anything I ever saw. The Triumph cotton has been gined here and found to beat 40 per cent. That is far ahead of anything we have had here before. Anything you will send me will be more than appreciated. When I get any mail from you I don't stop till I read it thro'. The farmers are coming more together with your work than anything that ever came along. I think in a few years the farmers will be rite along together. Don't forget me, anything you can due for me I will be glad to get it. The knights are giting long and I would like to read something from you every night.

I will close. Hope you have not wearied over this hard wrote letter. I am your friend,

J. A. KELLER, Berry, Ala.

APPENDIX E.

Extract from a letter of Col. Charles Schuler, commissioner of agriculture, addressed to the farmers of Louisiana December 19, 1908, and published in the Shreveport Times, in which the writer takes strong grounds in the paper of the possibility of raising cotton under boll-weevil conditions. Among other things, he said:

EXAMPLE OF DE SOTO.

In my own parish of De Soto diversified farming has proven a marked success. Prosperity is returning to both the farmer and merchant, and this can be credited to nothing more than making the farm self-sustaining and to adopting the up-to-date methods of fertilization and cultivation. Two farmers particularly in De Soto Parish may be pointed to as a very successful in the fight against the weevil. Mr. D. J. Bland, of Logansport, and Mr. A. R. Roach, of Mansfield. The former gentleman has averaged 1,000 pounds and over of seed cotton per acre for the past three years, farming on relatively poor, up-land soil.

Mr. Roach, at Mansfield, has done equally as well on his upland soil, and has made this year nearly a bale to the acre on bottom land. Mr. Roach frankly says that he has averaged more cotton per acre during the past four years fighting the weevil than he did during the fourteen years preceding 1904 farming on the same land.

Success in fighting the weevil is by no means confined to hill farmers. E. N. Norris, of Grand Bayou, and J. M. Robinson, of Bayou Le Chute, both farming in Red River Valley, made good crops last year.

Even at Bunkie, where the weevils were worse this year than anywhere in the State, R. F. Keary made over 600 pounds of seed cotton to the acre in spite of the weevils and bad weather. It is true that some of his neighbors failed to make a crop, but they did not follow the improved methods advocated by the crop-pest commission and the Department of Agriculture. Porter Fisher, farming at Keachie, after five years' experience with the weevil, says:

"I am just now finding out how to make cotton. You have got to clean up your fields in the fall, plant early varieties, fertilize heavily, and cultivate for all you are worth."

Mr. Fisher this year made 8 bales to the mule on hill land.

OTHERS MAY DO AS WELL.

What these men and others have done can be done by any intelligent farmer who attends to his business as he should. The more vigorous colored people can do the same thing with proper instruction and encouragement.

Some people hold to the opinion that the negro can not be induced to adopt better methods of cultivation or to diversify successfully, but my own experience with the colored men on my own place at Keachie has been such that I have great hopes for the future of our colored farmers if they be but rightly instructed and encouraged by their white brethren. In February, 1907, I received information from De Soto Parish that there was an exodus of negro laborers from that part of the parish known as "Africa." The laborers were going to Oklahoma, and I was requested to go up and visit that section to see if I could do something to stop it. I went and held a meeting of the heads of negro families at the negro church for a plain, practical, business talk. On a Saturday I met 96 negro men there, and I talked to them for an hour and a half on diversification, more industrious habits, buying less on credit, and explaining to them that the South was the country for them to live in; that they were among friends, etc. I promised them that demonstration farms would be established in their midst and an occasional lecture given to teach them. I wired Doctor Knapp, of the United States Demonstration Farm Work, and had established in the parish of De Soto 240 demonstration farms of from 3 to 5 acres each, with a lecturer to visit these farms as often as it was possible for them to do so.

WAS PERSONALLY INTERESTED.

I was personally interested in that section, having 800 acres of land there being worked on the tenant system. I had one demonstration farm established on my place under the control of a negro, who owed me \$623. I went to Europe in the interest of immigration and did not return to my plantation or parish until the following November. My experience with my tenants was as follows: The negro who owed me \$623 paid me every cent of it; had three bales of cotton left over, and had plenty of corn and meat to do him for that year. I supplied him for the year 1908, and his indebtedness at the end of the season was only \$32. He has 11 bales of cotton and again had plenty of corn and meat to do him. Another negro owed me over \$300 for the year 1907. He paid it all; paid me \$80 cash for a mule, had some money left over, and had plenty of corn and meat to do him. One negro who had been working for me sixteen years, and who had never been out of debt before, came out of debt and had some money left over, besides a plentiful supply of corn and good meat. The fact is, every one of my tenants paid up for the year 1907, and I attribute the success of my tenants and neighboring negroes in the improvement of the 1908 crop to, first, the talk I gave them, and secondly, to the establishment of the demonstration farms in their midst. It stopped the exodus of negro laborers, and a number are now in a prosperous condition.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

For investigating the methods of growing, harvesting, packing, storing, handling, and shipping fruits, and for experimental shipments of fruits within the United States and to foreign countries, \$71,360.

Mr. EDWARDS of Georgia. Mr. Chairman, I want to offer an amendment, to insert after the word "fruits," on lines 2 and 3, page 18, the words "and melons."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 18, lines 2 and 3, after the word "fruits," insert the words "and melons."

Mr. SCOTT. I accept that amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. EDWARDS of Georgia. Mr. Chairman, I would like to hear it read as amended.

The Clerk read the paragraph as amended.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Purchase and distribution of valuable seeds: For the purchase, propagation, testing, and distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants; all necessary office fixtures and supplies, fuel, transportation, paper, twine, gum, postal cards, gas, and electric current, official traveling expenses, and all necessary material and repairs for putting up and distributing the same; for rent and repairs and the employment of local and special agents, clerks, assistants, and other labor required, in the city of Washington and elsewhere, \$317,960, of which amount not less than \$270,320 shall be allotted for congressional distribution. And the Secretary of Agriculture is hereby directed to expend the said sum, as nearly as practicable, in the purchase, testing, and distribution of such valuable seeds, bulbs, shrubs, vines, cuttings, and plants, the best he can obtain at public or private sale, and such as shall be suitable for the respective localities to which the same are to be apportioned, and in which same are to be distributed as herein after stated, and such seeds so purchased shall include a variety of vegetable and flower seeds suitable for planting and culture in the various sections of the United States. An equal proportion of five-sixths of all seeds, bulbs, shrubs, vines, cuttings, and plants, shall, upon their request, after due notification by the Secretary of Agriculture that the allotment to their respective districts is ready for distribution, be supplied to Senators, Representatives, and Delegates to Congress for distribution among their constituents, or mailed by the department upon the receipt of their addressed franks, in packages of such weight as the Secretary of Agriculture and the Postmaster-General may jointly determine: *Provided, however*, That upon each envelope or wrapper containing packages of seeds the contents thereof shall be plainly indicated, and the Secretary shall not distribute to any Senator, Representative, or Delegate seeds entirely unfit for the climate and locality he represents, but shall distribute the same so that each Member may have seeds of equal value, as near as may be, and the best adapted to the locality he represents: *Provided also*, That the seeds allotted to Senators and Representatives for distribution in the districts embraced within the twenty-fifth and thirty-fourth parallels of latitude shall be ready for delivery not later than the 10th day of January: *Provided also*, That any portion of the allotments to Senators, Representatives, and Delegates in Congress remaining uncalled for on the 1st day of April shall be distributed by the Secretary of Agriculture, giving preference to those persons whose names and addresses have been furnished by Senators and Representatives in Congress, and who have not before during the same season been supplied by the department: *And provided also*, That the Secretary shall report, as provided in this act, the place, quantity, and price of seeds purchased, and the date of purchase; but nothing in this paragraph shall be construed to prevent the Secretary of Agriculture from sending seeds to those who apply for the same. And the amount herein appropriated shall not be diverted or used for any other purpose but for the purchase, testing, propagation, and distribution of valuable seeds, bulbs, mulberry and other rare and valuable trees, shrubs, vines, cuttings, and plants: *Provided further*, That \$45,640 of which sum, or so much thereof as the Secretary of Agriculture shall direct, may be used to collect, purchase, test, propagate, and distribute rare and valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants from foreign countries or from our possessions for experiments with reference to their introduction into and cultivation in this country, and same shall not be distributed generally, but shall be used for experimental tests, to be carried on with the cooperation of the agricultural experiment stations.

Total for Bureau of Plant Industry, \$1,620,736.

Mr. SCOTT. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Insert in line 16, page 19, after the word "seventy," the word "two," so as to read "\$72,320."

Mr. SCOTT. The purpose of the amendment, Mr. Chairman, is merely to correct a typographical error.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

General expenses, Forest Service: To enable the Secretary of Agriculture to experiment and to make and continue investigations and report on forestry, national forests, forest fires, and lumbering, but no part of this appropriation shall be used for any experiment or test made outside the jurisdiction of the United States; to advise the owners of woodlands as to the proper care of the same; to investigate and test American timber and timber trees and their uses, and methods for the preservative treatment of timber; to seek, through investigations and the planting of native and foreign species, suitable trees for the treeless regions; to erect necessary buildings: *Provided*, That the cost of any building erected shall not exceed \$500; to pay all expenses necessary to protect, administer, and improve the national forests; to ascertain the natural conditions upon and utilize the national forests; and the Secretary of Agriculture may, in his discretion, permit timber and other forest products cut or removed from the national forests, except the Black Hills National Forest in South Dakota, to be exported from the State, Territory, or the district of Alaska in which said forests are respectively situated: *Provided*, That the exportation of dead and insect-infested timber only from said Black Hills National Forest shall be allowed until such time as the Forester shall certify that the ravages of the destructive insects in said forests are practically checked, but in no case after July 1, 1910; to transport and care for fish and game supplied to stock the national forests or the waters therein; to employ fiscal and other agents, clerks, assistants, and other labor required in practical forestry and in the administration of national forests, in the city of Washington and elsewhere; to collate, digest, report, and

illustrate the results of experiments and investigations made by the Forest Service; to purchase law books to an amount not exceeding \$500, necessary supplies, apparatus, and office fixtures, and technical books and technical journals for officers of the Forest Service stationed outside of Washington; to pay freight, express, telephone, and telegraph charges; for electric light and power, fuel, gas, ice, washing towels, and official traveling and other necessary expenses; and for rent in the city of Washington and elsewhere, \$3,986,000: *Provided*, That no part of the money herein appropriated shall be used to pay the transportation or traveling expenses of any forest officer or agent except he be traveling on business directly connected with the Forest Service and in furtherance of the works, aims, and objects specified and authorized in and by this appropriation: *Provided further*, That no part of this appropriation shall be paid or used for the purpose of paying for in whole or in part the preparation or publication of any newspaper or magazine article, but this shall not prevent the giving out to all persons without discrimination, including newspaper and magazine writers and publishers, of any facts or official information of value to the public.

Mr. MONDELL and Mr. MARTIN rose.

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota [Mr. MARTIN].

Mr. MARTIN. Mr. Chairman, I would like to inquire of the chairman of the committee whether, in his judgment, there is any good reason why this large lump-sum appropriation of nearly \$4,000,000, in this paragraph, should not hereafter be classified and apportioned separately as in other appropriation bills?

Mr. SCOTT. I hope there is no reason why it should not hereafter be classified and itemized more closely. It seemed, however, to the committee that it would be impracticable to do it in this bill, for the following reasons: This year there has been a very marked change in the organization of the bureau, by means of which the national forests have been divided into districts and headquarters have been established for each of those districts in the field, so that a very large amount of the work that hitherto has been done in Washington is now done in the headquarters of the various districts.

Mr. MARTIN. Does the gentleman think that if the appropriations for this bureau had been made after the usual method of apportioning the amounts the large number of separate heads of the bureau through different portions of the West would probably have been established at all?

Mr. SCOTT. I have no reason to doubt that the chief of the bureau would have been of the same opinion that he is now, that greater efficiency could be reached through the organization which he has adopted.

Mr. MARTIN. In the manner that the committee has recommended these appropriations is there anything except the opinion of the chief of the bureau to govern how he shall use this fund?

Mr. SCOTT. There is nothing. The question of more closely itemizing this large fund was discussed at length by the committee, and the chief of the bureau was asked to submit an estimate in a different form.

He did this, saying that it was the very best he felt he could do without running great risk of hampering the service, by submitting an estimate, in which he divided the appropriation among the various districts, giving in a lump sum the amount he expected to expend in each of the districts. That did not seem to the committee to be getting any nearer the result it desired than the original proposition. The Forester gave to the committee his assurance, however, that after this new system had been in operation for a year he would be able to, and he would, send an estimate, itemized as the committee desired. He thought it was impossible, however, for him to do it now, because the new system has not been tried long enough to enable him to make a reasonable guess as to the manner in which the funds should be assigned.

Mr. MARTIN. Is it the purpose of the committee to hereafter systematize the appropriations for this bureau as all others under the service?

Mr. SCOTT. It is the decided purpose of the committee to do it.

Mr. MARTIN. I should like to call the gentleman's attention to the following section, and inquire whether the purposes there enumerated for which this \$600,000 additional is added to this general sum are not all subjects that can be covered by the authorizations already given in the previous section. I notice, for example, in the last section: "Erecting necessary buildings;" and further, "to improve the national forests;" and I notice in the following section the general clause "to erect cabins and fences and other permanent improvements, \$600,000." Does not that mean to accumulate \$600,000 for purposes already covered by the general section?

Mr. SCOTT. Not in the opinion of the committee, and not according to the construction of the bureau. The appropriation for permanent improvements has been carried, I think, for the last three years—the sum fixed the first year being \$500,000;

last year, \$600,000; and for the coming year, as provided in this bill, the same amount; and it has been the construction of the Forester that he is limited in the work of permanent improvements to the amount provided by this paragraph.

Mr. MARTIN. Well, for example, I notice for "necessary buildings" in the main paragraph, and the buildings shall not exceed \$500 each. The following paragraph provides \$600,000 for general improvements. Certainly that whole \$600,000, without any limitation, can be expended in making buildings to cost not exceeding \$500 each, can it not?

Mr. SCOTT. I think so.

Mr. MARTIN. In other words, it means an added, accumulated appropriation. It can be used for at least some of the purposes already covered by the appropriation of \$3,900,000.

Mr. SCOTT. The committee concedes without any cavil the various suggestions the gentleman is making touching the desirability of greater itemization in this appropriation, and if it had seemed possible to secure such an arrangement it would have been done.

Mr. MARTIN. If I have any further time I desire to say that while from the beginning I have been, and still am, enthusiastic for the conservation policy of the Government, particularly as far as it pertains to the proper preservation and utilization of the forests, that the sentiment throughout the West with reference to the way this service is being applied is growing more and more adverse to it.

It is becoming very difficult for the settler; the man who is honestly looking to a particular spot to make his home, containing the proper area where he can settle, is almost sure to find that the ranger desires to select this particular piece as the site of a government cabin. The settlers in a given locality render a great deal of service in the conservation of the forests, for the reason that they are interested in putting out fires on the range. I think it is an extraordinary expenditure of money, without any stipulation as to what manner and for what purposes it is to be used, and the tendency of it frequently is rather to subvert than promote the interests of these great forests, in which we of the West take a lively interest. For one I would like to suggest to the committee the propriety of bringing this bureau as rapidly as possible to that proper administration that applies to the other branches of the public service.

Mr. PARSONS. I understood the gentleman to say that the settlers could render services equal to those of the ranger. Will the gentleman explain that?

Mr. MARTIN. I think my statement will be found not to go to that extent. It is well known to people familiar with the forests, that the settlers in that section are interested as individuals in the preservation of the forests and the prosperity of that locality, and will readily cooperate with the Bureau of Forestry in its efforts to prevent and extinguish fires. They are anxious to promote the well-being of the locality and in a proper and legitimate way to help this service in protecting any of our natural resources.

Mr. MONDELL. I offer the following amendment.

The Clerk read as follows:

Page 24, line 7, strike out "nine" and insert "four."

Mr. MONDELL. Mr. Chairman, the amendment I propose reduces the lump sum appropriated for the Forestry Service in the sum of \$500,000. The committee increased the very liberal appropriation of last year—

Mr. PARSONS. I would like to reserve the point of order against that amendment.

The CHAIRMAN. The point of order is too late.

Mr. PARSONS. I withdraw the point of order.

Mr. MONDELL. The amendment is not subject to the point of order. As I said, the amendment reduces the lump-sum appropriation by \$500,000. The committee has increased the very liberal appropriation—I may say the very extravagant appropriation—carried in the bill last year by \$750,000.

In the report of the committee the statement is made that that increase is necessitated by the increased acreage within the reserve, it being stated that 17,000,000 acres have been added to the reserves since last year. Now, the bureau insists that it expends about 9 mills per acre for the administration and care of the reserves; but assuming that 1 cent per acre is to be expended in this way, this additional area would call for an additional appropriation of \$170,000, rather than \$750,000. However, the very liberal appropriation of last year, taken altogether, amounts to about 2½ cents per acre. On that basis this increase should be not \$750,000, but about \$450,000. However, the bureau, in its report—and, I think, the Forester in his statement before the committee—called attention to the well-known fact that territory newly included in reserves is not, during the

first year or so, very closely patrolled or as fully and expensively administered as later.

Therefore, assuming that this appropriation ought to be increased at all (and in my opinion it should be decreased a very great deal, in the interest of the purposes for which the reserves were established), it certainly ought not to be increased over \$250,000. Therefore I have presented my amendment.

On yesterday I gave some facts and figures with regard to the extravagant expenditures of this service. I called attention to the fact that, without any specific authority so to do, the service had established six departments or field divisions last year, and, according to the estimates for the coming fiscal year for the maintenance of the headquarters of these six divisions, the cost will amount to \$835,360 for purely clerical services, clerks, and assistants connected with these division headquarters. The incurrence of this vastly increased appropriation does not bring about any corresponding decrease in the appropriation in Washington; for while the amount estimated for the Washington office last year was \$571,000, the amount asked for the Washington office this year is \$490,000. So that there is an increase in the field for purely clerical services of over \$800,000, and a decrease in Washington of about \$80,000; so that in this one bureau, supposed to be established for the protection of the forests and the conservation of the water supplies, the increased cost in one year for purely clerical work is \$754,300. As a matter of fact that is what this increased appropriation is needed for.

Now I think that the expenditures of the Forestry Bureau have been quite extravagant enough in the past. The bureau pays from its lump-sum appropriation more high salaries in proportion to the number of its employees than any bureau of the Government. It is notorious in the region in which these reserves are located that high-priced men in great numbers are constantly going over the reserves to investigate this, that, and the other condition, or alleged condition; that a large portion of the time of these scientific gentlemen is consumed in attending meetings and in furthering the very elaborate propaganda of this bureau, carried on for the purpose of strengthening its hold among people who are acquainted with the character of the work which it is actually performing.

Now, Mr. Chairman, it seems to me that we went quite far enough last year in increasing the appropriation, and in adding to the lump-sum appropriation \$600,000 for permanent improvements, and that we shall be treating the bureau not only fairly but liberally if we give them an increase, not of \$750,000, but \$250,000.

Mr. PARSONS. Does the gentleman contend that the administrative districts that were established are against efficiency, or in the direction of efficiency?

Mr. MONDELL. In my remarks yesterday I said I did not pretend to pass on that question. I am inclined to think that it might be well for the Forestry Service to do as the Land Office does, establish administrative districts, with modest and reasonable headquarters, costing three or four thousand dollars a year each to maintain, through which certain reports may be transmitted to the central office at Washington, and where certain questions may be settled without reference to the Washington office.

I am not certain as to that, but when the bureau establishes six districts, that cost all the way from \$144,000 to \$147,000 each per annum for clerical services alone, we are not surprised that they are asking for \$35,000 worth of typewriters for the coming fiscal year to keep this force busy.

Mr. PARSONS. Will the gentleman yield for another question?

Mr. MONDELL. I will.

Mr. PARSONS. Is not it necessary in establishing the administrative districts to send the records to those districts and keep the records there?

Mr. MONDELL. If the gentleman wants to know the opinion of the gentleman from Wyoming on that subject, I will be frank about it. My opinion is this: These expensive administrative districts were largely established for the purpose of stemming the tide of popular opposition to certain policies of the department in the region in which it operates. That is my opinion.

Mr. PARSONS. Will the gentleman answer the question whether it is not necessary to send out there to each administrative districts these records?

Mr. MONDELL. I do not think of any special records that would be needed. The maps of the reserves are printed in duplicate. It would not be expensive to send those out there. The gentleman recalls that in the matter of land titles the Agricultural Department must yield to the Interior Department, and

therefore the questions relating to patents and to rights of way in the nature of easements must be referred to the Interior Department, and all land plats are in the Interior Department and not in the Agricultural Department.

Mr. PARSONS. What are the records that the Bureau of Forestry keeps?

Mr. MONDELL. I am not fully informed on that subject. I presume they have some records.

Mr. PARSONS. They have records in regard to permits?

Mr. MONDELL. I do not think it would cost \$147,000 to send the records to Missoula, and it ought not to cost that amount to keep the men to look after them.

Mr. PARSONS. How many permits are granted in the Missoula district a year?

Mr. MONDELL. Oh, a few thousand; and the gentleman from New York, if he was running the reserves, could issue all the permits that are issued all over the United States and he would not be near as busy as he is now. [Laughter.]

Mr. PARSONS. I want to say that I visited a forest reserve in the gentleman's State, and I was very much impressed with the work they were doing.

Mr. MONDELL. Oh, they do some good work. Spending the money they do, it would be strange if they did not.

Mr. SCOTT. Mr. Chairman, inasmuch as this matter has been very thoroughly discussed, I ask unanimous consent that all debate close on this amendment in five minutes.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that all debate on the amendment close in five minutes. Is there objection?

There was no objection.

Mr. SCOTT. Mr. Chairman, it is true, as the gentleman from Wyoming has suggested, that one reason given for the increase in the appropriation for the forest reserves allowed in this bill is the extension of the area of the forests, but that is not the only reason. Additional reasons, and very strong ones, are found in the tremendous increase in the use of the forests. As I stated in my opening address yesterday:

The books of the Forest Service show that last year the number of timber sales increased 206 per cent, the amount of timber cut 102 per cent, free-use permits 176 per cent, and the number of special permits 67 per cent, while the sales and fees received increased 20 per cent. Summing it all up, the total increase in the amount of business done was 46 per cent.

Obviously a very large increase in the use of the forests demands an increase in the forest force, and an increase in the forest force calls for an increase in the appropriation to pay that force, just as an increase in the business of a merchant, in the number of customers coming into his store, calls for an addition to the number of clerks.

But not only has the use of the forests increased, but it is hoped through this new arrangement to facilitate the transaction of business for the benefit of those who use them.

If I mistake not, one of the complaints of the gentleman from Wyoming, as voiced in this Chamber heretofore, has been the tedious delay in the transaction of business brought before the Forestry Service. One of the first purposes sought to be gained by the new system, whereby the forests are divided into districts and headquarters are established in the field, is to facilitate the transaction of business so that hereafter there will be no occasion for such complaint.

I can not acquiesce in the statement that the bureau is administered with wanton and reckless extravagance. It was found by the Keep Commission, which investigated the departments two or three years ago, that the average salary paid to employees in the Forestry Service was less than was paid to the employees of other departments of the Government.

Mr. MONDELL. Will the gentleman yield for a question?

Mr. SCOTT. Yes.

Mr. MONDELL. Is not that due to the fact that the men who actually do the work in the Forestry Service, the rangers, receive very low salaries; but is not my statement a moment ago also true, that there are more very high salaries in this bureau in proportion than in any other?

Mr. SCOTT. Mr. Chairman, I take it that the rangers are paid salaries which are adequate or it would be impossible to supply the places, and I take it that the salaries paid to other officials are such as similar services could command in other employment.

Mr. LAMB. I will state that the average salary is \$900.

Mr. SCOTT. I thank the gentleman for his suggestion. The average salary paid professional employees, I am reminded by the gentleman from New York [Mr. PARSONS], is about \$1,500 a year, and I know of a number of cases in which some of the highest-salaried employees of this bureau have left this service in order to go into private employment, where they could be

paid a larger salary. It must be understood that the men who are charged with the large responsibility of conducting timber sales involving many hundreds, and sometimes many thousands, of dollars, must be high-grade men. They must be expert, skilled men in the timber and lumber business, and such men can not be employed for a paltry sum.

It seems to me that the committee has not erred on the side of extravagance in recommending an increase of \$750,000. The only question we had in our minds was whether we had recommended enough. The Secretary's estimate asked for an increase of \$2,100,000, and we thought when we were cutting it down to \$750,000 we were possibly making a mistake on the side of economy, because there are chances that too great economy in this service may prove to be wasteful extravagance. I pointed out in my opening address the other day that by virtue of the work done in this service there was saved during the past season alone forests to the amount of \$34,000,000 from losses by fire, estimating losses which would have occurred without forest protection by those which did occur in the privately owned forests.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DOUGLAS. I ask unanimous consent that the gentleman's time may be extended for five minutes.

Mr. SCOTT. I do not care to continue it.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wyoming.

The question was taken; and on a division (demanded by Mr. MONDELL) there were—ayes 15, noes 47.

So the amendment was rejected.

The Clerk read as follows:

Improvement of the national forests: There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$600,000, to be expended as the Secretary of Agriculture may direct, for the construction and maintenance of roads, trails, bridges, fire lanes, telephone lines, cabins, fences, and other permanent improvements necessary for the proper and economical administration, protection, and development of the national forests.

Mr. DOUGLAS. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman in charge of the bill a question. As I understand the present administration of forest reserves, it is like a large business, carried on by the Government, and growing more so all the time; that is, the Government is the landlord of an enormous domain, which it rents out for forest purposes, and carries on in that way a business of forestry, grazing, stumpage, selling timber, and the like.

Mr. SCOTT. The gentleman is correct.

Mr. DOUGLAS. That being so, is it contemplated by the committee and by the Government generally to continue this for an indefinite term of years, and to keep control of these forests and to carry on this business, the renting out of land, of water power, and selling timber?

Mr. SCOTT. It is the policy to hold possession perpetually of these national forests, partly to guard against the timber famine which is threatened for the future, partly to protect stream flow, according to the judgment of the Chief Forester, and for other important public purposes.

Mr. DOUGLAS. Then, is it not expected soon, or at least ultimately, that this business, which is nothing more or less than a large commercial business, shall become self-sustaining?

Mr. SCOTT. That is the expectation. The chief forester told the committee this year that he thought next year's receipts would approach \$3,000,000. The receipts last year were about \$1,880,000, and they will be about \$2,000,000 this year.

Mr. DOUGLAS. What were the total appropriations last year for the purpose, and this year?

Mr. SCOTT. The total appropriations last year were something over \$3,000,000. I can give the figures exactly if the gentleman desires.

Mr. DOUGLAS. I think it will be wise to give them.

Mr. SCOTT. The total for the Forest Service during the current year is \$3,896,200.

Mr. DOUGLAS. And the receipts?

Mr. SCOTT. The receipts for this year it is estimated will be something over \$2,000,000, so that as a matter of fact the actual net cost to the country of this service is about a million and a half dollars, but for that million and a half dollars we get fire protection worth many times that amount. We also get all the study and research and investigation, and a great many other important things.

Mr. DOUGLAS. Now, am I right in supposing that the receipts from all sources connected with forest exploitation by the Government are covered into the Treasury?

Mr. SCOTT. Those receipts are covered into the Treasury as miscellaneous receipts.

Mr. DOUGLAS. And we make appropriations out of the Treasury?

Mr. SCOTT. And they are used for appropriations just as receipts from the post-office or any other source of public revenue.

Mr. DOUGLAS. Thank you very much.

Mr. SMITH of California. Mr. Chairman, I take the floor, I suppose, in opposition to the motion of the gentleman from Ohio—

The CHAIRMAN. The gentleman from California is recognized for five minutes.

Mr. SMITH of California. I desire to say a word on the subject that has just been before us, the matter of the revenues of the forestry department. I characterize it as the greatest outrage that has ever been perpetrated by this Government on any portion of its people. The effort of the forestry department is to grind every dollar that it can get out of the people of the West, and there is no kind of activity carried on in any part of the national forest that is not made to yield money, money, money all the time to the Federal Government. It is written in the law for instance, and in the original act establishing the "forest reserves," as they were then called, that mining should proceed without interruption and be in no way affected by the forestry law, and yet you can not touch a mining proposition within a national forest that the hand of the department is not laid upon your shoulder at once and a fee extorted for the benefit of the National Treasury.

Now, let me give you a specific illustration: A year or two ago a friend of mine, living in my own county, desired to construct a small quartz mill, what we call in the West a "Huntington quartz mill." He started in, as he assumed he had the right to do, to erect it, and being within the limits of a national forest he was proceeding with his work when the forest ranger laid his hand on his shoulder and said: "You can not build a quartz mill in the forest without a permit." And in the course of a year and a half he got his permit upon the condition that he would pay into the Federal Treasury \$50 a year. Now, there is not one syllable of law that justifies the payment of \$50 or 50 cents for a privilege of that kind. And speaking of this matter of privileges, it was stated here yesterday that one of the shining glories of the Forestry Service is that 200,000 permits had been issued in the past year. That means exactly 200,000 interferences with the daily affairs of the farmers and the miners and the stockmen of the West, and a very large per cent of those permits were at the price of a fee which they were obliged to pay into the Federal Treasury without one syllable of authority in law which justified it, and nothing but the greed and the grinding policy of this department of the Government will sustain them in bringing it to the Treasury of the United States.

Mr. SMITH of Arizona. And if my friend will permit me an interruption, is not that also true as to the men who, in good faith, attempt to settle on the forest reserves as homesteaders?

Mr. SMITH of California. It is true as to everything that is undertaken in the forest reserve. Now, I want to give another case that came within my knowledge last fall: When I was going from one town to another during the campaign, a gentleman came in the train and sat down beside me and we engaged in conversation. I soon discovered he did not know who I was and what my connection with the forestry department or the Government was. He said he was a bee man, and up the road a way he was going to leave the train and go back to a mountain canyon, where he had a few stands of bees feeding on the bloom of the sage and the tar weed, and those indigenous plants. The forestry department, he said, had laid its hand upon his shoulder and demanded that he pay a tax of 10 cents a hive.

Now, the bee men in the West are among the poorest people. They go into that occupation because they have not the money to engage in farming or in any other general occupation, and every penny which the forest department extorted from that man was the loss of a comfort, yes, a necessity, to his family. It represented some deprivation of some little boy or girl or the hard-working and industrious wife in that man's family. There is neither in sense nor in law any justification for filching these pennies from the pockets of that poor bee man. Now, I speak with some interest and some zeal—

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. SMITH of California. Mr. Chairman, I ask that I may have five minutes more.

The CHAIRMAN. The gentleman from California asks that he may have five minutes more time. Is there objection? [After a pause.] The Chair hears none.

Mr. SMITH of California. I speak with some energy and zeal on this, because I plainly foresee that unless a halt is called in this grinding of the people in their everyday affairs there is going to be a reaction and the entire forestry system may be destroyed, and that would be a great calamity. If the Forestry Service will confine itself to its proper functions, it is one of the great institutions of this Government and will result in great good. Not that they are going to enlarge the timber supply extensively, for they are not—that is the biggest humbug in the world—but it is going to conserve the ranges, it is going to benefit the stream flow, and to some extent it will result in reforestation where timber is milled off properly.

I want to say to you, gentlemen, if you have any idea that great and glorious forests are going to be spread over the country which is now designated on the map—and always in green, I believe—as a forest reserve, you are doomed to great disappointment.

The thing that the West needs, industrially, and I refer to the conservation of the timber, the water, and the feed, is rest. Leave it alone and give it the least administration possible, and nature will give you the result. It is largely impractical to set trees out over the forest reserves. A large portion of them are as destitute of timber growth as the roof of this building, because nature never intended that trees should grow where the granite and rock are as near the surface as they are, and where the rainfall is as little. We have all seen certain photographs printed again, and again, and again. All the picture papers in the country and all the magazines and many of the daily papers have printed a picture of a mountain side that seems to be entirely bare, as if the soil and all had slid into the canyon below. That is held up to us as an illustration of the great iniquity that has resulted in this country because there was not a Chief Forester born some generations earlier.

I can show you a forest reserve in my district where for miles and miles there is nothing to be seen but that stony, rocky mountain side, and if there ever was a forest there it disappeared before Adam was born. It was a natural condition, and has no more business to be in a forest reserve, except for the purpose of making places in which to spend money and provide for the activities of that department, than there would be for putting this building into a forest reserve for the purpose of growing a forest all over it.

Mr. PARSONS. Why does the gentleman make that complaint when he says that one of the good results of the Forestry Service would be the improvement of the range?

Mr. SMITH of California. I say that there is neither range, timber, nor anything else on the forest reserve I just spoke of. In the county in which I live the forest reserve is extended out onto the floor of the Mohave Desert, where you can not grow a single thing but lizards. [Laughter.] Nobody undertakes to grow anything there, and a man would be sent to the insane asylum if he would undertake to raise a forest on such land as that.

The activities of the Forestry Service have gone too far in two particulars; first, as I say, in meddling with the everyday activities of the people that live anywhere near it; and, second, spreading the boundaries of the forests over a vast amount of territory that is in no sense forest, in no sense contains a water supply, and is in no sense responsive to any of the legitimate purposes of the Forestry Department.

I wish that department would do two things. First, I wish it would get off of the backs of the people who live in the vicinity of the mountains—in the foothills, where a large majority of the land has passed into private ownership; and, second, I wish it would withdraw its limits from that country which can never be forest, and where there is no water to conserve, and concentrate its efforts on those watersheds well up in the mountains, above settlements, where timber to some extent may be grown, where the range needs some attention, and where there is a chance to conserve the water for irrigation below and to prevent floods from the storms that prevail in those watershed districts.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PARSONS. I ask that the gentleman be given five minutes more.

Mr. SCOTT. I object.

Mr. CALDER. Mr. Chairman, I ask that the gentleman be given two minutes more.

Mr. SCOTT. I object.

Mr. SMITH of California. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. The gentleman from California asks unanimous consent to continue for two minutes more. Is there objection?

Mr. POLLARD. I object.

Mr. COOK of Colorado. Mr. Chairman and gentlemen, I desire most heartily to concur in what the gentleman from California said in regard to the conditions in his State. Similar conditions exist in the State of Colorado. I will say, gentlemen of the committee, that the prospecting for minerals in my State has almost entirely ceased. Why? On account of the arbitrary action of Mr. Pinchot's bureau. I brought out in the hearings before our Committee on Agriculture from Mr. Pinchot that he was charging the people of my State \$5 per thousand feet for timber worth half the price; that he charges the people of California, Oregon, Washington, Montana, and Utah \$1.90 per thousand feet. When I asked Mr. Pinchot for his authority, he said:

By authority of the Attorney-General of the United States.

Now, gentlemen, what we want in the Forestry Bureau is a little more practicability and less sentiment. The statement was made by the chairman of our committee [Mr. SCOTT], on the statement made to him by Mr. Pinchot, that the receipts for the coming fiscal year would amount to the sum of \$3,000,000. I deny the correctness of that statement. It is well known to all through the forestry regions of this country that to-day the receipts are largely falling off on account of the sale of timber; also the receipts from grazing horses, cattle, and sheep on forest ranges.

Now, gentlemen, I desire to say for your information, with the people of my State, at the last election the question of Judge Taft's and Mr. Bryan's election was not the issue. I want to say in this connection that at no time was I a candidate myself for reelection as Member of this honorable body, but Mr. Pinchot and Pinchotism was one of the issues in my State, and the result was the State went Democratic. [Great laughter.]

Mr. LAMB. Will that be a national calamity? [Laughter.]

Mr. COOK of Colorado. With all due respect to my comrade, Colonel LAMB, I rather think it was, in some respects, in our State. [Laughter.]

Now, gentlemen of the committee, what we want to-day in my State is to carry out the law. We do not want the Chief Forester in Washington here to get to the members of the committee and by misrepresentations have them vote money to enable Pinchot to put 1,400 more employees to work, build up a political machine, and spend hundreds and thousands of the people's money and accomplish no results, when his object, as is well known, is to get Mr. Wilson's position in the Cabinet as Secretary of Agriculture. [Laughter.]

Mr. MONDELL. Mr. Chairman, I move to strike out the paragraph last read, appropriating \$600,000 for so-called "permanent improvements" in the forest reserves. I desire to call the attention of the committee to the fact, already called to their attention by the gentleman from South Dakota, that the improvements proposed under this paragraph can all be carried out under the lump-sum appropriation. This paragraph contains no authorization not contained in the former paragraph. This paragraph is simply an excuse for getting more money. Now, one or two gentlemen have suggested to me that it is strange that one should object to appropriations for improvements within the territory I represent. I object to these improvements because they are unnecessary, because they are extravagantly carried on, because unnecessary improvements on our forest reserves mean an ultimate toll.

The gentleman from Ohio made inquiry a moment ago of the chairman of the committee as to how soon we could expect returns from the forest reserves to equal the expenditures. I think that it is the intention of the Forestry Service within a very short time, if possible, to secure an income much in excess of the outlay. However, that never can be done, no matter how rapidly they sell their timber, if the expenditures are to increase as they have increased in the past few years. I called attention yesterday to the fact that in my State there is one reserve on which the timber is now being cut so rapidly that in ten years there will be practically no standing mature timber on that great reservation. It will require from one hundred to one hundred and fifty years to grow another crop.

Mr. SCOTT. Will the gentleman name the reservation to which he refers?

Mr. MONDELL. When the gentleman asks me to give the name I am embarrassed, for the reason that we have a peculiar condition in the West. It is as though in Illinois and Missouri you should have the names of your counties changed every time the county clerk had a bad spell of indigestion or had the notion strike him that he wanted to name something.

Mr. SCOTT. Perhaps the gentleman will give us the present name.

Mr. MONDELL. This reservation was known as "Medicine Bow Reserve." The Medicine Bow Range is known throughout the West. It is a majestic, towering, snow-capped range, fa-

miliar to all travelers and dwellers in that region for many years by that name, but somebody in the Forestry Service, just to show that he had the power to do so, I suppose, rechristened it.

Day before yesterday I think they called it the "Cheyenne Reserve." To-morrow it may be something else. But we will call it the "Medicine Bow." In ten years, at the present rate of cutting, there will be no considerable amount of large timber on the Medicine Bow, and then there will be at least one hundred and fifty years during which there can be no considerable receipts from timber; but the Forestry Service are forehanded, never forget that. They are laying the foundation for a continual revenue. Last year I called attention to the fact that 500 revocable permits had been issued in the forest reserves of the country for purposes for which the Congress of the United States had given the applicants an easement, and these revocable permits were forced upon these applicants through various procedures of delay and suggestion and intimidation, laying 500 different bases for the collection of a perpetual toll.

The Forestry Service, instead of confining itself to the purposes for which it was created, is attempting to establish over great areas within the Western States federal districts within which the Federal Government shall lay a tax on every industry, within which no man shall operate except he shall pay to the federal taxgatherer. The system is un-American. It is a system that no American Commonwealth will long tolerate.

Mr. PARSONS. Does the gentleman contend that when a man gets a permit for mining in a forest reserve he should pay nothing for the permit?

Mr. MONDELL. I say that since the beginning of the Government we have allowed prospectors to go on the public domain and prospect, we have invited them to do that, and the result has been marvelous development. The law gives them the same right now in the reserves, but the department, unfortunately, is higher and mightier than the law.

Mr. SCOTT. Does the gentleman mean to say that the department denies to any man the right to go upon the reserve for the purpose of prospecting?

Mr. MONDELL. The gentleman desires to be fair.

Mr. SCOTT. I know he does. That is the reason I ask the question.

Mr. MONDELL. I do not understand that the bureau denies the right; it often surrounds the right with so many conditions, with so much red tape, with so much inquiry, with so many conditions as to the use of timber for the building of the prospector's little shack to shelter him while he is carrying on his prospecting work; it so very carefully investigates the question as to whether he has mineral enough that he can afford to pay the Government's price for the land and continue to mine; it surrounds him with so many conditions practically impossible of fulfillment, that the result is that the miner, like the homesteader, has ceased to seek the mountains. The homesteader has learned, as the gentleman from South Dakota has just stated, to shun the forest-reserve region.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. I ask unanimous consent for five minutes more.

Mr. HASKINS. I object.

Mr. WEEKS. Mr. Chairman, I want to say just a word on this question. I had not intended to take any of the time of the committee, but there have been so many misstatements made, and so many statements which will give a wrong impression to the members of the committee, that I want to correct at least two or three of them.

We have 169,000,000 acres set aside in the forestry reserves. They belong to all the people of this country. They belong to the constituents of every Member upon this floor. They do not belong to the people of the States where they are located, but they belong to all the people. The difficulty with these gentlemen is that their constituents in the past have been in the habit of going onto these reserves and removing timber whenever they saw fit, without paying anything for it. They have been in the habit of grazing their herds on these grazing lands and not paying for it. The gentleman from California says the people in that country are being imposed upon to supply a fund for the National Treasury. The proceeds from grazing and from timber are divided in two parts. One-quarter of the receipts go to the people of the State where the receipts are obtained and three-quarters go into the Treasury as a general fund.

Now, as a matter of fact, there is probably not a single place in the Rocky Mountain section where the Government is charging for stumpage the price that private owners are obtaining for stumpage alongside it. There is not a single place in the Rocky

Mountain section where the Government is charging for grazing the price that private owners are charging for grazing, or which the Indian Bureau of our own Government is obtaining for grazing.

We are receiving from this grazing privilege something like \$800,000 a year. If we received for the same service what would be charged by private owners, or what would be received by the Indian Bureau of our own Government, it would amount to something like \$2,500,000.

Further than that, Mr. Chairman, there is not, in my judgment, a single instance where any charge whatever has been made to any man for taking up or prospecting any mining claim on a government national reserve. The instructions which are given to the range men and the supervisors, which are in print, a copy of which any Member of the House can obtain if he will take the trouble, explicitly instruct the range men to encourage prospectors, and expressly stipulate that no charge whatever shall be made to the prospector on a government reserve.

Mr. MONDELL rose.

Mr. WEEKS. I will yield to the gentleman from Wyoming.

Mr. MONDELL. Did I understand the gentleman to state that the Government had in no instance charged more for stumpage than is charged by private owners?

Mr. WEEKS. I have not been able to find an instance.

Mr. MONDELL. I gave one instance, and had I time I could give a dozen of which I have knowledge where the Government is charging \$5 for stumpage, when a few miles, or perhaps a considerable distance, in the same general region, private parties are selling for a dollar or a dollar and a half.

Mr. WEEKS. Conditions may have been different. I was informed yesterday by a large timber owner who lives at Colorado Springs that he was obtaining \$5 a thousand stumpage for his timber and the Government was selling right alongside, under the same conditions, for \$4.

If gentlemen will take the trouble to look up the hearings before the Agricultural Committee, they will find that only about one-third is being charged by the Government for grazing privileges on national reserves that is being charged by private owners in private localities under the same conditions.

Mr. COOK of Colorado. Will the gentleman yield for a question?

Mr. WEEKS. I will.

Mr. COOK of Colorado. The gentleman from Massachusetts stated that in Colorado a less price was being charged by the Government than was being charged by private individuals for stumpage. I will ask the gentleman if he is aware of the fact that more than 92 per cent of the timber lands in Colorado are in forest reserves?

Mr. WEEKS. I did not mean to say that the charges in one locality are the same that they are in another locality. Charges for stumpage should depend on location, on transportation, and all other incidents that go to make up a proper price.

Mr. SMITH of Arizona. Where did the gentleman get the figures about the price for grazing purposes?

Mr. WEEKS. Largely from the testimony that was submitted to the Committee on Agriculture at the hearings held before this bill was presented.

Mr. SMITH of Arizona. How could there be similar conditions in the public grazing lands and those owned by private persons, so that you could make a comparison?

Mr. WEEKS. Comparison was made in several cases, and any examination will show that my statement is correct.

Mr. COOK of Colorado. I desire to say to the gentleman from Massachusetts—

Mr. WEEKS. I believe I have the floor, Mr. Chairman.

Mr. SMITH of California. Will the gentleman yield to me for a question?

Mr. WEEKS. Yes.

Mr. SMITH of California. Is it not true that the lands privately owned are uniformly the best, and therefore there can be no just comparison?

Mr. WEEKS. I will state that my informant told me the conditions were the same, including the cost of transportation, and that he was obtaining \$5 for stumpage where the Government was selling for \$4.

Mr. SMITH of California. My question related to the grazing lands.

Mr. COOK of Colorado. Will the gentleman yield for a question?

Mr. WEEKS. Yes.

Mr. COOK of Colorado. Where are the best timber lands that the gentleman speaks of near Colorado Springs?

Mr. WEEKS. I understood they were near Colorado Springs.

Mr. COOK of Colorado. There are no timber lands near Colorado Springs. Their supply of lumber comes from New Mexico, Texas, Oregon, and Washington.

Mr. WEEKS. I did not intend to locate them at any particular place. The information was given me by the predecessor of the gentleman who has just spoken, and any Member who served with him will believe his statement.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. SCOTT. Mr. Chairman, this matter has been thoroughly thrashed out this year and last year, and I therefore move that debate on this amendment close in five minutes.

Mr. SMITH of California. Mr. Chairman, I hope that motion will not prevail. This is a new problem, not understood in its workings by eastern Members. I move to amend by making it fifteen minutes.

The CHAIRMAN. The question is on the amendment of the gentleman from California.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The motion now is on the motion of the gentleman from Kansas.

The question was taken, and the motion was agreed to.

Mr. MANN. Mr. Chairman, I would not be understood as making a harsh statement, especially about my friends who represent the Territories in which these forest reservations are, but I take it that as a matter of fact for many years it has so become the custom to loot the public domain that when the Government endeavors to come into its own it looks to them like robbery. For years they cut the forests without paying for it, they herded their stock upon the grazing land without paying for it, and when in course of time the Government wishes to preserve its own, they complain. When I first came into this House the complaint was that the Forestry Service would not administer the national forest reserve with a businesslike administration. The complaint was that there would be no economy in the management of the forest reserves, and now their complaint is that there is too much of a businesslike administration.

Mr. Chairman, it is not necessary to defend Mr. Pinchot on the floor of this House against the assaults which have been made upon him. His work will speak for all time. He has, with the help of other great men of the country, inaugurated a system in this country of inestimable value to future generations. [Applause.] This year, Mr. Chairman, it so happened that I traveled for more than a hundred miles through burning forest fires. I tramped for long distances through the forest in search of some information upon this subject connected with the special committee of which I am a member. The great need of the country, so far as forests are concerned, is, first, fire protection. In Minnesota, in Wisconsin, in Michigan, millions of dollars of property were destroyed for lack of fire protection, and you might just as well expect that a man will preserve his home in this city from fire without a paid fire department as to expect that the forests of the country will be preserved from fire without governmental aid of some kind. [Applause.] Under the regulations and the control of this Forestry Service, our forests, the Government's forests, worth hundreds of millions of dollars, probably a billion or two of dollars, have gone through the past dry season with scarcely a stick destroyed by fire. Wherever a fire started there were the servants of the Government to put it out, but where it started on the private property of the people there it burned, as I know myself. Mr. Chairman, these gentlemen are working against the inevitable. We will continue in our country to have the forest reserves. We will attempt to administer them properly with businesslike methods, and in the end the people who come after the distinguished gentlemen now occupying the floor of this House will thank their Lord that we and not they prevailed in the policies of our country. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wyoming.

The question was taken, and the amendment was rejected.

Mr. SMITH of California. Mr. Chairman, I move to strike out the last word. This discussion generally comes around to a certain stage of misrepresentation, not intentional on anyone's part, when the chairman of the Committee on Agriculture moves to close the debate. I criticize him to that extent and proceed with my remarks. The gentleman from Illinois [Mr. MANN] endeavors to create the impression in the minds of the House and the country that the Members from the West are opposed to the forestry department and to the system. I positively and emphatically deny that that is true. There are no stancher friends of the Forestry Service, within reasonable limits and for the purpose of preserving and conserving the natural resources of the country in the West, than are the

people of my district. I would go as far as the gentleman from Illinois or any gentleman from any timber country in the preservation of the forests and in the care of the public property of the West.

But I insist that it is not a fair deal, when all of the East and the Middle West have had all of the bounties of nature free, that we who are now struggling with the rockiest proposition that has been presented in the country should be burdened by a system of taxation that reaches into the pockets of every man who dares go upon the public domain.

We are in favor of the Forestry Service. We want the timber preserved, and we do not care to steal any more of it, as the gentleman intimates we have been doing. The law gives to every man living on the forest reserve or in its vicinity free wood for his fuel, and it is not a fair statement to say that the people of the West have been petty larcenists for all of the years past.

The gentleman from Massachusetts has endeavored to make some statements, and has made them, with reference to prices. I say the policy of the Forestry Department is frankly—and I have it in writing from the Chief Forester—to get the last living cent out of whatever it disposes of. A miner a year or two ago wrote to me because the price of timber for his mine had been raised from \$2.50 to \$4 a thousand stumpage, and he wanted it reduced.

I wrote to the Forester, and he gave me this reply: That it had been raised to \$4 a thousand because they found that the man could not get it anywhere else for any less. On another occasion I went with some mining men from my district to meet Mr. Pinchot when he was in Sacramento at the Irrigation Congress a year ago; the miners were asking about some stumpage near their mine, which was remote from a railroad point. He said to them the price of the stumpage would be the price of the lumber at the nearest railroad station, plus the price of hauling it to the mine. Now, that is business; that is the way individuals do business. We take what the traffic will bear; we exact from our neighbors the highest price we can get. But I assert, Mr. Chairman, as positively as I can, that that has never been the policy of the United States Government, and it is a vicious policy for any government to invoke against its people.

Mr. PARSONS. What should be done?

Mr. SMITH of California. I am going to state. The Government of the United States is a government and not a business institution, and it has no more business to go among the people and drive hard bargains, especially at this time in our history, than it has to drive people from their homes. The policy of this Government, from the beginning until within the last five years, has been to pass over the natural resources of the country to the individual and let him have the increment, thereby strengthening himself; and never until within the last few years has the United States Government been a money-making institution in any of its departments.

Mr. PARSONS. To whom is it to be given?

Mr. SMITH of California. Give it to the man who will appropriate it to a useful purpose, exactly as we give to the man who sails a ship the free use of the harbor on which we have spent millions in its improvement. Now, I say this is a fundamental question. It is a question that goes to the policy of the Nation. Are we going to turn this great Republic into a financial institution, grinding from the people the last cent that they will yield, or shall we continue it as a government, a government of individualism, and continue the policy of allowing the man—the individual—to enjoy the natural resources and develop them for his benefit? Ours is not a socialist government; this is not a nation of paternalism; and some day the error of this forest policy will be seen, and we will turn back to true principles as a matter of political wisdom. [Applause.]

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. SCOTT. Mr. Chairman, I move that all debate on this paragraph and all amendments thereto be now closed.

Mr. MONDELL. Mr. Chairman, I move to amend that motion by providing that debate shall close in ten minutes.

The CHAIRMAN. The gentleman from Wyoming offers an amendment that all debate be closed upon the paragraph and amendments thereto in ten minutes.

The question was taken, and the motion was rejected.

Mr. MONDELL. Mr. Chairman, I now move that all debate close in five minutes.

The CHAIRMAN. The gentleman from Wyoming moves that all debate close in five minutes.

The question was taken, and the Chair announced the yeas seemed to have it.

On a division (demanded by Mr. MONDELL) there were—ayes 81, noes 20.

So the motion was agreed to.

The CHAIRMAN. The question now is upon the motion of the gentleman from Kansas as amended by the gentleman from Wyoming.

The question was taken, and the motion was agreed to.

Mr. MONDELL. Mr. Chairman, I rather expected that before this debate closed we would hear about "looting" the public domain, and the gentleman from Illinois [Mr. MANN] has not disappointed us. He insists, mildly as the Forestry Service has vehemently, that all those opposed to the present forestry policy are "looters" of the public domain. I tried to answer that briefly yesterday. Mr. Chairman, I, as Assistant Commissioner of the General Land Office, had the honor of forwarding from that office the papers submitted to the President for his signature setting aside one of the largest forest reserves in my State and a number in other Western States.

I had the honor of the authorship of the bill that transferred the forest reserves from the Interior Department to the Agricultural Department. I have always been a friend of proper forest reservation and preservation; I am now. I am opposed to the policy as carried on and to the extravagant expense of the service, an extravagance which, if it were really understood on the floor of this House, would result in the cutting of this appropriation in two, if not in a still further reduction of it.

The Interior Department protected 85,000,000 acres of reserves from fire, as effectually as 160,000,000 are now being protected, with a measly appropriation of \$350,000, and carried on timber sales, made fire guards, built roads, and made trails. Ten times that appropriation is now demanded for twice the area.

Now, Mr. Chairman, I hope the western people will be no longer misunderstood in this matter. We do not complain of a reasonable charge for the products of the reserve, and we never have. We complain rather as to the vexatious conditions under which we must avail ourselves of the use of the reserves. I will tell you a brief story of one of those "looters" who have been referred to.

Three or four years ago I camped one night with a friend beside a little spring in the desert. Along in the evening a four-horse team came into camp. We went out from our tent and found an old gentleman, about 70 years of age, with four horses, and with a little handful of scrubby timber on his wagon. After having helped him take care of his team and prepared supper for him, we inquired why he was coming from the direction of the forested mountains with such a trifling load of almost worthless material. He said that he lived at Burlington, 35 miles below. He had been to Carter Mountain, 35 miles above; in all, 70 miles over a hard road. He went up to the mountains to get some posts and poles to put a fence around his little cabin on his homestead.

The slopes of Carter Mountain are covered for miles with dead timber. That man was a law-abiding citizen, and besides he believed he would be arrested or pursued if he did not find the forester and get his permission to get some dead poles. After hunting about a day he found him. The forester inquired as to whether or no he was entitled to the free use of timber under the law, asking him about his homestead. He said that he had made a homestead entry, but that a mistake had been made in the description, and he had made an application to amend. The application had not been passed upon. So this high and mighty servant of the Federal Government turned that old man back and refused to allow him to have a single stick of timber, although there were millions of feet of it in sight, rotting on the mountain side. The old man came back. Do you think he was as well disposed a citizen when he came back as he was when he started on that journey? On his way back on a rocky slope, that had escaped the scrutiny of the forest service, the old man found the few sticks he had on his wagon when he drove into our camp.

Such cases are innumerable. Mr. Chairman, what we object to is having large areas of our Commonwealths turned into federal districts and having a federal jurisdiction established over every enterprise, over every effort made for the development of these great regions within our State. We believe in individualism, we believe in local control, and we do not believe in unnecessary government paternalism and bureaucracy. [Applause.]

The Clerk read as follows:

BUREAU OF CHEMISTRY.

Salaries, Bureau of Chemistry: One chemist, who shall be chief of bureau, \$5,000; 1 chief clerk, \$1,800; 3 clerks, class 4; 5 clerks, class 3; 7 clerks, class 2; 1 property clerk, \$1,600; 1 clerk, \$1,300; 9 clerks, class 1; 9 clerks, at \$1,000 each; 1 assistant property custodian, \$900; 11 clerks, at \$900 each; 1 engineer, \$1,200; 2 messengers, at \$840 each; 1 skilled mechanic, \$900; 2 skilled laborers, at \$720 each;

1 skilled laborer, \$600; 1 fireman, \$600; 4 messengers or laborers, at \$600 each; 3 messengers or laborers, at \$480 each; 2 messengers or laborers, at \$420 each; 4 charwomen, at \$240 each; in all, \$75,560.

Mr. HEPBURN. Mr. Chairman, I move to amend by inserting after the word "dollars," in line 9, page 25, the following:

And an additional \$1,000 so long as the office shall be filled by the present occupant.

The CHAIRMAN. The gentleman from Iowa [Mr. HEPBURN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 25, line 9, after the word "dollars," insert:

"And an additional \$1,000 so long as the office shall be filled by the present occupant."

Mr. SCOTT. Mr. Chairman, I shall be obliged to reserve a point of order against that.

The CHAIRMAN. The gentleman from Kansas reserves a point of order.

Mr. SCOTT. I make the point of order if the gentleman from Iowa does not wish to make any remarks.

The CHAIRMAN. The Chair will be glad to hear the gentleman from Iowa [Mr. HEPBURN] on the point of order.

Mr. HEPBURN. There is no point of order. I submit that the proper procedure is to vote on the amendment.

Mr. KEIFER. A point of order has been made.

Mr. HEPBURN. But no point of order was reserved.

Mr. SCOTT. I reserved it thinking the gentleman from Iowa [Mr. HEPBURN] would like to make a few remarks on the amendment.

Mr. HEPBURN. I do not care to discuss the amendment.

Mr. SCOTT. Then I make the point of order, Mr. Chairman.

The CHAIRMAN. The Chair assumes that this is an increase on the salary.

Mr. SCOTT. That is what I had in mind, Mr. Chairman.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

For all expenses necessary to carry into effect the provisions of the act of June 30, 1906, entitled "An act for preventing the manufacture, sale, or transportation of adulterated, or misbranded, or poisonous, or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," in the city of Washington and elsewhere, including chemical apparatus, chemicals and supplies, repairs to apparatus, rent, gas, and electric current, \$136,000; for official traveling expenses, telegraph and telephone service, express and freight charges, \$85,000; for employing such assistants, clerks, and other persons as the Secretary of Agriculture may consider necessary for the purposes named, in the city of Washington, \$200,000; out of the city of Washington, \$266,460.

Mr. LEVER. Mr. Chairman, I make the point of order on that part of the paragraph beginning with a semicolon on line 17, down to line 21, and ending with the word "dollars" on line 21, page 27, on the ground that it is not authorized by existing law.

Mr. KAHN. Mr. Chairman, I hope the gentleman will reserve his point of order.

Mr. LEVER. Oh, Mr. Chairman, I think the matter has been discussed here and it is getting late. Let the Chair pass upon the point of order.

Mr. SCOTT. I would ask the gentleman from South Carolina to reserve the point of order.

Mr. LEVER. Oh, well, I will reserve the point of order.

Mr. SCOTT. I yield to the gentleman from California.

Mr. KAHN. Mr. Chairman, I take it that the language referred to, to which the point of order was reserved, has reference to the so-called "referee board of consulting chemists." I sincerely hope that the gentleman will not insist on his point of order. No one in this House has a higher regard for the Chief of the Bureau of Chemistry than I have. The entire world acknowledges the splendid work he has done in connection with pure-food legislation. But at the same time, to place in the hands of one man the terrific power, without appeal, that the pure-food law does may result in the destruction of millions of dollars of invested capital if that one man should decide that a certain material used in the preparation or preservation of food is harmful and deleterious.

Take the conditions that exist in the State of California. A quarter of a century ago that State produced more cereals than any other State in the Union. By degrees its agriculturists have gone out of the business of raising cereals and have gone into the business of raising fruits. As wheat raisers they were practically at the mercy of the Liverpool market, which fixed the price for their commodity, whereas the fruit grower has three avenues for disposing of his crop.

He can sell it when it ripens, in its fresh state; he can dispose of it to the canners; he can dry it and sell it. In recent years, in the process of drying, he has used sulphur dioxide for the purpose of protecting it from the attacks of insects and arresting fermentation. He produces a commodity which has met

the approval of the world, for he finds a market for his product in every civilized country. There are millions of dollars invested in this industry. The Chief of the Bureau of Chemistry is, however, of the belief that the use of sulphur dioxide is harmful and deleterious.

Mr. LEVER. Mr. Chairman, I call the attention of the Chair to the fact that the gentleman from California is not discussing the point of order.

The CHAIRMAN. The point of order was reserved.

Mr. LEVER. Well, Mr. Chairman, I do not desire that this debate shall go on indefinitely.

The CHAIRMAN. The gentleman reserved the point of order, and the gentleman from California is recognized for five minutes.

Mr. LEVER. I beg pardon.

Mr. KAHN. The Chief of the Bureau of Chemistry has declared that sulphur dioxide is harmful and deleterious. He threatened to prohibit its use, whereupon the President of the United States appointed this referee board of consulting chemists, consisting of Doctor Remsen, of Johns Hopkins University; Professor Chittenden, of Yale; Professor Long, of the Northwestern University; Doctor Herter, of Columbia University; and Professor Taylor, of the University of California, men of the highest standing in their profession, to investigate these various questions of the use of preservatives. A friend of mine, a chemist, in speaking of the experiments of Doctor Wiley, said, and I think truly, that at times those experiments are not altogether scientific. When Doctor Wiley experiments on a number of people he begins by calling them the "poison squad." This squad is usually made up of young men in the government employ, and before they enter on the experiment he makes them sign an agreement that if their health is injured or impaired by reason of the experiments they will not hold the Government responsible for the injuries sustained.

In other words, he produces a condition of fear in the mind of every man upon whom he experiments, and, in consequence, possibly discovers results that he would not find if experimenting on normal men.

Now, there is in San Francisco a young physician, Doctor Atkins, who has taken great interest in this very subject. He, too, began to experiment. Quite recently he tried a diet of dried fruit upon a squad of tailors, and he called that squad the "health squad." He chose tailors because they lead a sedentary life. He gave them California dried fruit, treated with sulphur dioxide, every day. To one man he gave the fruit three times a day. In practically every case of the eight men upon whom he experimented there was an increase of health at the end of thirty days, and an increase of weight. He had the cooperation in his experiments of five or six of the leading physicians of San Francisco; and yet Doctor Wiley says that this sulphur dioxide is harmful and deleterious and ought to be prohibited.

Why, Mr. Chairman, if this referee board which has been appointed should not be given an opportunity to pass upon this subject, if the word of Doctor Wiley alone should control in the matter, millions of dollars' worth of property of the people of the State of California would practically be destroyed. Doctor Wiley is, no doubt, a most able chemist. But he is not infallible, and there ought to be an appeal from his decision to this board.

Mr. MANN. Will the gentleman yield to a question?

Mr. KAHN. Certainly.

Mr. MANN. I suppose the gentleman is aware that under the pure-food law no one's word can avail except the word of the Supreme Court of the United States?

Mr. KAHN. True; but, Mr. Chairman, before he could have his case heard in the Supreme Court of the United States every orchardist in the State of California would be financially ruined.

I ask unanimous consent that I may be allowed to insert in the RECORD a brief report of Doctor Atkins in reference to his experiments, and also of some chemists who made analyses of the dried fruit used in those experiments.

The CHAIRMAN. The gentleman from California asks unanimous consent to insert in the RECORD the matters referred to. Is there objection?

There was no objection.

The matter referred to is as follows:

Hon. JULIUS KAHN,
Washington, D. C.:
SAN FRANCISCO, CAL., January 24, 1909.

I hereby submit to you and the California delegation in Congress a brief report of the results obtained in my recent experiments.

During the past thirty days I have been feeding eight men on a mixed diet of California dried fruits which has been highly sulphured in the drying process. The fruit was selected from the packing houses in different parts of the State, just as it is offered to the trade. The fruit consists of apples, pears, peaches, apricots, and silver plums.

Seven of the men have been eating the fruit once per day at the noon hour; the other man has eaten it three times per day, cooked and raw. The last-mentioned man is Colonel Richardson, who is a police officer working at night. During the test he has eaten 28 pounds of the fruit and says he never felt better in his life. At the beginning his weight was 225 pounds; now his weight is 227 pounds.

The seven men who have eaten the fruit once a day have all thrived except one, who lost 3 pounds, but says he attributes that to the loss of sleep and not to eating the fruit; for he says, "I have derived great benefit from eating the fruit. I have lost considerable sleep and worked very hard during the time." His name is Mr. C. B. Sens.

Mr. A. Lund, who has gained 1½ pounds, says, "I think sulphured fruit is absolutely harmless so far as its effect upon me is concerned." On account of a severe cold Mr. Almqvist lost 3 pounds during the second week of the test, but on the last week gained 4, making him weigh 1 pound more than at the start. He says, "I feel no ill effects from the test."

Mr. F. Nagel has gained 9 pounds during the test, and says, "I feel fully as well as when I began the diet; in fact, my weight shows I have improved."

Mr. J. E. Nordquist weighed, when he began the fruit diet, and at the close tipped the scales at 145 pounds. He says, "I think my whole physical condition has improved; I sleep and feel better than when I began the diet."

Mr. K. Stadem gained exactly 4 pounds, and says, "I do not feel any worse from eating the fruit."

Mr. Henry Stieglitz also gained 4 pounds, and says, "When I began the test my stomach was bad, and I could only eat two meals a day; now I eat three and relish them all."

During the test the weather has been unusually bad, so that the 7 men, who lead sedentary lives, owing to their business (being tailors by profession), were still further hindered from exercise in the open air by the weather. Still further, these men were subjected to considerable heat in the room where they work on account of the gas grates for heating their irons. Notwithstanding all these unhealthy conditions, the "health squad," after undergoing all the usual clinical tests, have made a favorable showing for a California dried-fruit diet. I attribute the general improvement in the condition of the men to the favorable effect of the fruit upon alimentation, as few persons in ordinary life eat sufficient fruit.

The object of this test was to determine by clinical observation if there was any harm in eating California sulphured dried fruit under normal conditions, and I have tried to eliminate fear and imaginary evils from the mind of each subject by appealing to his reason. This same object lesson should be applied to the whole world, as it eats California dried fruit.

In this work I have had the cooperation of Drs. M. Herzstein, J. H. Barbat, E. Majors, Alfred Regensburger, W. H. Hunsaker, Charles Clark, and Prof. Elmer Gates, of Washington, D. C., who make the following reports after a careful investigation of the subjects and fruit.

Doctor Herzstein says, "After testing a box of the dried fruit, I do not find any injurious effects from eating the fruit."

Doctor Majors reports, "I weighed and critically examined the eight men after the thirty-day period they had eaten dried fruit and found all had materially improved in their general health. I have also experimented with my own family and find the effect beneficial with no ill results."

Doctor Regensburger says, "I examined the men at the end of the thirty days and found no cutaneous diseases; in fact, the men have all improved in health."

Dr. W. H. Hunsaker sends a most favorable report and says, "I examined the men at the beginning and at the end of the test and find all have improved in most every respect. My family also thrived on a diet of the fruit during the past month."

Prof. Elmer Gates in a lengthy report says he feels no fear in eating sulphured fruit, which was sent him for experiment, and prefers sulphured to unprotected fruit, for the injurious effects, if any, are less than the injuries and dangers resulting from unprotected fruit.

Luther Burbank in a recent letter to me upon the subject says, "I am convinced that properly sulphured fruit is much more healthful than fruit which has not been so treated."

A chemical analysis of the same fruit as the health squad have been eating has been carefully compiled by the Curtis & Tompkins Chemical Company with the following results, which are absolutely scientific.

See chemical chart.
While I do not claim this test is absolute, nor is it even scientific in its strictest sense, still it points out facts which lead us to believe one is perfectly safe in eating California dried fruit, no matter how much sulphur it may contain, provided he soaks the fruit overnight in cold water, then cooks it. He will find as per chemical chart that there is not sufficient sulphur left to do any harm.

ALBERT J. ATKINS, M. D.

CURTIS & TOMPKINS,
ANALYTICAL, INDUSTRIAL, AND CONSULTING CHEMISTS,
SAN FRANCISCO, January 19, 1909.

Dr. ALBERT J. ATKINS,
San Francisco:

We have examined your samples of fruits (20 samples) received December 31, 1908. Marked 10 dry, as received; 10 cooked, as eaten; and found them to give the following results:

	Sulphurous acid.				Proportion of original dry fruit in cooked material.*
	In original dry fruit.	In cooked fruit as eaten.	Loss due to soaking and cooking of total.*	Grains in 4 ounces of cooked fruit.	
	Per cent.	Per cent.	Per cent.		Per cent.
December 31. Apples....	0.009	0.003	11.1	1/20	0.36
January 1. Pears.....	.116	.032	60.3	1/2	.70
January 2. Silver plums.....	.067	.011	74.7	1/5	.64
January 4. Peaches.....	.204	.043	60.3	3/4	.53
January 5. Apples.....	.007	.002	42.9	1/33	.46
January 6. Pears.....	.118	.043	44.1	3/4	.65
January 7. Apricots.....	.147	.045	51.7	4/5	.63
January 8. Peaches.....	.212	.057	52.8	1.0	.57
January 9. Silver plums.....	.054	.019	40.7	1/3	.59
January 11. Apricots.....	.134	.040	49.3	3/5	.59
Average for 10 days.....	.107	.029	54.1	1/2	.57

* Comparisons with the cooked and dry fruit computed to the same basis.

[SEAL.]

CURTIS & TOMPKINS.

Dr. ALBERT J. ATKINS,
1609 Franklin street, City.

SAN FRANCISCO, January 19, 1909.

DEAR SIR: We inclose herewith reports of our examination of your samples of dried fruits (10 not cooked, 10 cooked), 4 each (2 cooked, 2 dry), of apples, pears, silver plums, peaches, and apricots.

The best understanding of this work may be obtained by consulting the analytical data, which are of necessity greatly condensed.

The general results (loss of sulphur during cooking) of this work agrees with results of similar experiments made by us over a year ago, a copy of which we inclose.

Inasmuch as the same fruits have been consumed by your squad in like proportion (6 times of each kind) for thirty days, a fair average of the amount of sulphur dioxide consumed during this period can be deduced from the results of the 10 cooked samples (2 of each kind). By this means we find that 1 man eating 4 ounces of the cooked fruit per day (daily proportion for each man) would take into his system an average of one-half grain of sulphur dioxide per day; or, in other words, during the entire month he would eat 120 ounces (about 8 pounds) of the cooked material, equivalent to 67.5 ounces (4.2 pounds) of the original dried fruit, and from which he would obtain about 15 grains of sulphur dioxide during the entire experimental period.

This diet would furnish to the individual at any one time a minimum dose of about one thirty-third of a grain, and a maximum of about 1 grain of sulphur dioxide.

Some inconsistencies are apparent in the tables, which are naturally to be expected, as the practice of each cooking is not controlled with any degree of precision; and the fruits themselves vary greatly, even those sulphured at the same time. This latter fact is due in part to an unequal absorption of sulphur by the ripest and less ripe fruits, as well as to the variation in size, etc.

Under these conditions it will be readily seen that only general results can be obtained either in the laboratory or in commercial practice. Furthermore, the freshly sulphured fruit rapidly loses a considerable proportion of its sulphurous acid and continues to diminish, but less rapidly, as the sulphur contents diminish. Therefore the fruits used in this investigation will show a lower per cent of sulphur in a month, and still less after a longer period.

We will gladly furnish any further information which you may desire regarding this subject from the chemist's standpoint. Thanking you for your order, we are,

Yours, very truly,

CURTIS & TOMPKINS,
By P. W. TOMPKINS.

Mr. LEVER. Mr. Chairman, I insist on the point of order.

The CHAIRMAN. Will the gentleman restate his point of order?

Mr. LEVER. The point of order is that this section carrying the words beginning on line 17, after the semicolon, and ending on line 21, after the word "dollars," page 27, is contrary to existing law and not authorized by existing law.

The CHAIRMAN. Will the gentleman inform the Chair which portion of the language he considers out of order?

Mr. LEVER. I consider the whole clause that I have named out of order. There is nothing in the pure food and drug act which authorizes this language making the appropriation, and there is no other law.

Mr. BURLESON. Mr. Chairman, I wish to direct the attention of the Chairman to another point: That the appropriation for all expenses necessary for carrying into effect the pure-food act is in the provision above, and if all the expenses are provided for in the paragraph above, there can be no authority for this particular appropriation.

Mr. SCOTT. Mr. Chairman, it seems to me that the point made by the gentleman from South Carolina [Mr. LEVER] and the point made by the gentleman from Texas [Mr. BURLESON] are not well taken. There is an act of Congress authorizing the Secretary of Agriculture to employ such persons as Congress may from time to time authorize him to employ; that is to say, as Congress may from time to time make appropriations to enable him to employ. And in reference to the point made by the gentleman from Texas, it is obvious that the word "all" is intended to extend over the remainder of the paragraph and to include those parts of the paragraph to which he has called attention as well as the first lines of it. The case seems so clear that I do not care to take time to argue it further.

The CHAIRMAN (Mr. FOSTER of Vermont). The Chair desires to call the attention of the committee to the following language in section 523 of the Revised Statutes, being a portion of the organic act establishing the Department of Agriculture:

He—

Referring to the Secretary of Agriculture—

shall appoint such other employees as Congress may from time to time provide, with salaries corresponding to the salaries of similar officers in other departments of the Government; and he shall, as Congress may from time to time provide, employ other persons for such time as their services may be needed, including chemists, botanists, entomologists, and other persons skilled in natural sciences pertaining to agriculture.

Now, that is very broad authority. The Chair also desires to call attention to the language in another statute, section 169 of the Revised Statutes, which reads as follows:

Each head of a department is authorized to employ in his department such number of clerks of these several classes recognized by law, and such messengers, assistant messengers, copyists, watchmen, laborers, and other employees, and at such rate of compensation respectively as may be appropriated for by Congress from year to year.

This language has from time to time been held sufficient authority for an appropriation in a general appropriation bill, and it seems to the Chair that this language that has just been read is analogous to the language in the organic act of the Department of Agriculture.

Mr. LEVER. Mr. Chairman, I suppose the Chair is about to overrule the point of order, and I wish to offer an amendment.

The CHAIRMAN. The Chair desired, first of all, to call the attention of the gentleman to the state of things under the organic act, and the Chair will now be glad to hear anything further on the point of order.

Mr. LEVER. I would like to have the Chair make a ruling.

Mr. BURLESON. Before the Chair rules, I want to direct his attention to the fact that the particular paragraph against which the point of order has been raised, considering its phraseology, can not be claimed to be based on the organic act creating the Department of Agriculture. You will notice that it follows immediately a provision or paragraph which provides for "all expenses to carry into effect the pure-food act." Hence it relies for its validity in this bill upon the provision of the pure-food law. Now, Mr. Chairman, there is absolutely no authority in the pure-food law for the paragraph against which the point of order is raised, and you can not escape the conclusion that the paragraph purports to rest upon the pure-food act, for the concluding part of the paragraph objected to includes these words:

Assistants, clerks, and such other persons as the Secretary of Agriculture may consider necessary for the purposes named.

What purposes named. Why, you look to the paragraph immediately preceding, which provides for all expenses necessary to carry into effect the provisions of the pure-food act.

As I see it, the Chair can not possibly escape the conclusion that this paragraph depends for its right to remain in this bill upon the provisions of law contained in the pure-food law, and if there is no provision in the pure-food law authorizing the Secretary of Agriculture to employ such assistants and clerks and other persons as he may see fit, and so forth, then this item necessarily must fall to the ground. In the pure-food act there is no such authorization; hence, I say, the Chair should sustain the point of order.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. WEEKS having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed the following resolutions, in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 86.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to cause a survey to be made of the harbor at Blaine, Wash., to determine the cost and advisability of its improvement.

Senate concurrent resolution 82.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made to ascertain the most feasible and practicable route to build a canal or inland waterway on the shores of the Gulf of Mexico, connecting St. Andrews Bay, in the State of Florida, and the Mississippi River near New Orleans, in the State of Louisiana, with a view to determining the advantage, best location, and probable cost of such canal or inland waterway, and to submit a plan and an estimate for such improvements.

Senate concurrent resolution 83.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination and survey to be made of Popham Beach, Maine, with a view to the building of a bulkhead or breakwater along said beach for the protection of property of the United States, and to prevent the deposit of sand in navigable waters adjacent thereto.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 8906. An act to provide for the retirement of certain officers on the active list of the Regular Army who have been passed over in promotion by officers junior to them in length of commissioned service.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

Mr. MANN. Mr. Chairman, when the pure-food law was passed, it was in the mind of Congress that the organic act creating the department did authorize the Secretary of Agriculture to appoint clerks, and assistants, and so forth. It seems to me that the only question here is as to whether this portion of the paragraph—

and such other persons as the Secretary of Agriculture may consider necessary for the purposes named—

is subject to a point of order. Upon reflection, it would seem to me that the authority to employ such other persons as may be needed is practically the same thing, identically the same

thing, as the employment of such other persons as the Secretary of Agriculture may consider necessary, because the persons who may be needed are to be judged by the Secretary. While the language is not precisely the same, the authority is precisely the same.

The CHAIRMAN. The pure food and drug law simply unloaded an additional subject upon the Department of Agriculture. In itself it afforded no additional machinery of administration. As the gentleman from Illinois [Mr. MANN] has indicated, it was believed at the time that the organic act provided the method for furnishing this machinery. The Chair overrules the point of order.

Mr. LEVER. Mr. Chairman, I move to strike out, after the semicolon, in line 17, page 27, all the words down to "dollars," on line 21, and to insert thereafter the following, which I send to the Clerk's desk.

The Clerk read as follows:

Strike out all after the word "dollars" in line 17, page 27, and insert, after the semicolon, the following:

"For the examinations of specimens of foods and drugs, made in the Bureau of Chemistry, under the direction and supervision of such bureau for the purpose of determining from such examination whether such articles are adulterated or misbranded within the meaning of said act, in the city of Washington, \$200,000; out of the city of Washington, \$266,460."

Mr. POLLARD. Mr. Chairman, I wish to reserve a point of order on the amendment.

Mr. LEVER. That amendment is written in the language of section 4 of the food and drug act of June 30, 1906, and I say frankly that it is intended to eliminate the operation of the so-called "referee board of consulting chemists." I tried to point out yesterday that this referee board was appointed in violation of law. I tried to point out that the referee board was appointed at the behest of manufacturers who were not obeying the pure food and drug act of 1906. I pointed out, Mr. Chairman, that there was no necessity for the use of any of these chemicals in canned goods and foods. I pointed out, I think, clearly that the operation of this referee board of consulting chemists had the effect of tying the hands of the Chief of the Bureau of Chemistry, whose statutory duty it is to enforce the pure food and drug act of 1906. I pointed out, too, that the exercise of the functions of this referee board of consulting chemists acted in the nature of an absolute superseding of the Chief of the Bureau of Chemistry in the performance of the duties imposed upon it by law.

In this connection, Mr. Chairman, I want to read for the information of the Committee of the Whole a portion of a letter just received from the Secretary of Agriculture. At the proper time I will ask for permission to insert the whole letter, in justice to the Secretary, but I want at this point to read this portion, which bears upon this proposition:

You ask what duties in the Bureau of Chemistry are assigned to members of the referee board, and whether these gentlemen act under the authority of the chief of the bureau. No duties in the Bureau of Chemistry are assigned to these men. They are all connected with prominent universities and have their own laboratories. They do not do any work under the authority of the Chief of the Bureau of Chemistry.

I call especial attention to that language:

They do not do any work under the authority of the Chief of the Bureau of Chemistry.

Let me put alongside of that language the language of the statute, the language that we passed, the language that we intended to have obeyed in the enforcement of the pure food and drug act. I read from section 4 of the act—

That the examinations of specimens of food and drugs shall be made in the Bureau of Chemistry of the Department of Agriculture, or under the direction or supervision of such bureau.

Yet we are told by the Secretary of Agriculture that this extra legally appointed referee board is not connected with the Bureau of Chemistry and does not exercise its authority in conformance with the directions of the Chief of the Bureau of Chemistry.

Mr. COLE. Will the gentleman yield for a question?

Mr. LEVER. Yes.

Mr. COLE. Does the gentleman contend that the findings of the Bureau of Chemistry are absolutely binding upon the Secretary of Agriculture?

Mr. LEVER. I contend that the law points out just exactly what the Secretary of Agriculture shall do with the facts furnished to him by the Bureau of Chemistry. The facts are handed to the Secretary, as I understand it, and if, in his judgment, it seems to him that a good case has been made, a fair case has been made, those facts are certified to the proper district attorney of the proper federal court. The Secretary of Agriculture has no discretion in the matter. The data is collected by the Chief of the Bureau of Chemistry or those acting under the

direction of the chief. But I want to read further from the letter of the Secretary referring to this board. He says:

They report directly to me.

Mr. Chairman, they do not report to the Chief of the Bureau of Chemistry, but to him, the Secretary of Agriculture. He continues:

The law speaks to me and says that I must keep out of foods substances which are deleterious to health. When great conflicts of scientific opinion arises concerning the deleteriousness of a particular substance, I refer that substance to the referee board—

Oh, no; not to the Chief of the Bureau of Chemistry, as provided in section 4 of the pure-food act; not at all; but to the referee board—

and an elaborate scientific investigation is conducted to determine whether the substance is harmful.

Mr. Chairman, I want to call the attention of the committee to the fact that section 4 of the act provides that this scientific investigation shall be made by the Bureau of Chemistry or under the supervision of the Bureau of Chemistry, and you can not get away from the fact.

Mr. TAWNEY. Will the gentleman permit a question?

Mr. LEVER. Yes.

Mr. TAWNEY. Does the pure-food act also authorize the appointment of this referee board?

Mr. LEVER. I have searched the pure-food act carefully night after night for more than a week, and I say to the gentleman that there is not an iota of language in it which authorizes the appointment of this referee board of consulting chemists, nor any other law so far as that is concerned. I read further from the Secretary's letter:

My action in allowing or excluding a substance is based upon—

Based on what? Based on the report of the Chief of the Bureau of Chemistry? Based on the findings of those acting under the supervision or direction of the Chief of the Bureau of Chemistry? Not at all.

My action in allowing or excluding a substance is based upon the report of this board, which is made directly to me.

A board illegal in its make-up; a board absolutely exercising authority which this Congress did not give.

The CHAIRMAN. The time of the gentleman has expired.

The letter referred to, with inclosures, is as follows:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, February 3, 1909.

Hon. A. F. LEVER,
House of Representatives, Washington, D. C.

DEAR MR. LEVER: I am sending you the information requested in your two letters of the 1st instant regarding the referee board of consulting scientific experts and the board of food and drug inspection. Most of the information which you desire concerning the referee board is contained in a letter which I have written to Mr. SCOTT, the chairman of the House committee, on January 13, 1909, and I am taking the liberty of inclosing a copy of this letter. You ask what duties in the Bureau of Chemistry are assigned to the members of the referee board, and whether these gentlemen act under the authority of the chief of the bureau. No duties in the Bureau of Chemistry are assigned to these men. They are all connected with prominent universities and have their own laboratories. They do not do any work under the authority of the Chief of the Bureau of Chemistry. They report directly to me. The law speaks to me, and says that I must keep out of foods substances which are deleterious to health. When grave conflict of scientific opinion arises concerning the deleteriousness of a particular substance I refer that substance to the referee board, and an elaborate scientific investigation is conducted to determine whether the substance is harmful. My action in allowing or excluding the substance is based upon the report of this board, which is made directly to me. I think, with this statement and the copy of my letter to Mr. SCOTT, you will be able to answer any questions which may arise in the course of the debate.

The formation of the Board of Food and Drug Inspection is also treated in my letter to Mr. SCOTT, but you ask for the orders and official documents relating to the creation of the board, and I am sending you a copy of the order. I also send a copy of Doctor Dunlap's appointment. General Order No. 111 defines the duties of the Board of Food and Drug Inspection, as follows:

"The board will consider all questions arising in the enforcement of the food and drugs act of June 30, 1906, upon which the decision of the Secretary of Agriculture is necessary, and will report its findings to the Secretary for his consideration and decision. All correspondence involving interpretations of the law and questions arising under the law, not theretofore passed upon by the Secretary of Agriculture, shall be considered by the board. The board is directed to hold frequent meetings at stated times in order that findings may be reported promptly."

"In addition to the above duties, the Board of Food and Drug Inspection shall conduct all hearings based upon alleged violations of the food and drugs act of June 30, 1906, as provided by regulation 5 of the Rules and Regulations for the Enforcement of the Food and Drugs Act, approved October 17, 1906."

Doctor Dunlap acts in the capacity of secretary to the board.

To particularize the duties of Doctor Dunlap, his work is confined wholly to the subject of the food and drugs act, and while by title associate chemist in the Bureau of Chemistry, he is in no way connected with the administrative work of the bureau.

His time is devoted to:

1. *Hearings.* These hearings are necessary under section 4 of the food and drugs act. The Board of Food and Drug Inspection sits as

a board at these hearings, and stenographic notes are taken of them. This is done by the force in Doctor Dunlap's office, and the records of the board are kept on file there. Hearings on general topics of interest are conducted by the board, frequently in view of a proposed publication of an important question under the food and drugs act, as, for example, the case of hearings on coffee, mineral waters, bleached flour, etc. Hearings before the board are also frequently had on appeal from cases heard at the various port laboratories.

2. *Executive sessions.*—These are held regularly twice a week, or oftener if need be, and are given over to the consideration of important questions affecting the enforcement of the act, such as questions of interpretation, cases arising for prosecution under the act, and important questions raised in connection with correspondence. As secretary of the board, Doctor Dunlap keeps the minutes of executive sessions, and presents all the matter at the meetings for the consideration of the board.

3. *Correspondence.*—All correspondence affecting the food and drugs act passes through Doctor Dunlap's hands for consideration, and he, personally, handles as much of the correspondence as time allows. Especially is this true of letters which require the signature of the Secretary of Agriculture. Only by such control is consistency of action on the part of the department obtainable.

4. Doctor Dunlap also personally supervises the preparation of the letters for the signature of the Secretary, which are to be sent to the Secretary of the Treasury, dealing with imported foods and drugs, indicating the offense under the act. These letters are afterwards considered by the other members of the board before being submitted to the Secretary for consideration.

5. Doctor Dunlap prepares all letters for the consideration of the board, where, in his opinion, imported foods and drugs should be released at the ports. These letters are afterwards submitted to the Secretary of Agriculture for his consideration and approval.

6. He handles personally considerable correspondence on food and drug matters affecting the interpretation of the act; these letters go to the chiefs of the food laboratories. He also handles largely the correspondence coming to Washington on questions affecting imports, where such letters are sent by importers or other interested parties.

7. He considers, as a member of the board, all recommendations to the Secretary of Agriculture for seizures under section 10 of the act.

8. All the evidence in cases of adulterated or misbranded foods, when the cases are complete, is considered by him, as a member of the board, and, after an expression of opinion as to the proper action to take, the cases are passed to the other members of the board for their vote.

9. He has also given a portion of his time to the preparation of briefs on various subjects, at the request of the Secretary of Agriculture and the President (corn sirup, bleached flour, etc.), and also in briefing chemical data on questions under the food and drugs act, which have been submitted to the Attorney-General.

10. All cases, before citations are issued for hearings under section 4 of the act, pass through his hands, and it is left to him to decide when citations are to be issued.

11. Part of his time is given over to consultation with those who come to inquire on points of labeling, or on any other points where advice might be given or asked concerning the food and drugs act.

I trust this will give you the information you desire, but if there is anything further, I should be glad to furnish it upon your request.

Very sincerely,

JAMES WILSON, Secretary.

JANUARY 13, 1909.

HON. CHARLES F. SCOTT,
Chairman Committee on Agriculture,
House of Representatives.

DEAR SIR: On February 20, 1908, I appointed five men consulting scientific experts of this department, and on February 24, 1908, I organized them into a board called the "referee board."

I appointed these men under a provision in the agricultural appropriation bill which authorizes me to employ such assistants as I may consider necessary to secure the enforcement of the pure-food law.

I organized them into a board under authority of section 161 of the Revised Statutes, which authorizes the head of each department to prescribe regulation not inconsistent with law for the government of his department. Section 161 reads:

"The head of each department is authorized to prescribe regulations not inconsistent with law for the government of his department, the conduct of its officers and clerks, the distribution and performance of its business, and the custody, use, and preservation of the records, papers, and property appertaining to it."

The men so appointed are Dr. Ira Remsen, president of Johns Hopkins University; Dr. Russell H. Chittenden, of Yale; Dr. John H. Long, of the Northwestern University; Dr. Alonzo E. Taylor, of the University of California; and Dr. C. A. Herter, of New York. Their duties are to determine the wholesomeness or deleterious character of such foods or articles used in foods as I may refer to them for such determination.

The law says that foods which are deleterious in themselves or which contain deleterious substances shall not be shipped in interstate commerce. It should be remembered that the pure-food law and the appropriation act speak to the Secretary of Agriculture. Examinations of samples are to be made by the Bureau of Chemistry, but the enforcement of the law is with me. It is necessary for me to know definitely whether certain articles are deleterious or not, and where there is grave conflict of scientific opinion on the question, I refer the subject to this board.

I have referred three subjects—benzoate of soda, sulphur dioxide, and saccharine. No reports have been received by me from the referee board on these subjects, but I am expecting a report on benzoate of soda and on saccharine about March 1 next. The members of the board are paid \$25 a day for each day they are actually employed, and so far they have received in salary a total of \$4,703.04, and the expense of the investigations conducted by them on the subjects of benzoate of soda and saccharine have been \$27,110.84.

The referee board was appointed because certain large manufacturers of foodstuffs asked thorough investigation by the most distinguished scientists in the land. They asked the President to select a number of disinterested scientific men competent to pass upon the question, and stated that if these men found that sulphur dioxide, saccharine, and benzoate of soda were harmful, they would, of course, immediately discontinue their use. The President corresponded with the presidents of a number of the leading universities of the country, who suggested certain names to him, from which he made the selection of the five men I have heretofore named, and these men were appointed by me and organized into a board, as stated.

It will be remembered that when the pure-food law was under discussion before a committee of the House, the view was expressed that the Secretary of Agriculture should be allowed a free hand in selecting experts of renown on questions of the wholesomeness of certain foods and articles used in foods, and this had always been my position. Apparently, it was endorsed by the Congress when they included the item in the agricultural appropriation bill giving me authority to employ such persons as I considered necessary for the enforcement of the law, and I have used the discretion confided in me by Congress.

I may say that it is my personal opinion that it is necessary to have the opinion of five eminent, disinterested experts as to the wholesomeness or unwholesomeness of benzoate of soda, saccharine, and sulphur dioxide.

BOARD OF FOOD AND DRUG INSPECTION.

When the department started in to enforce the pure-food law, I was looking to the Chief of the Bureau of Chemistry to handle the administrative details and the chemical end of the work, and to the department solicitor to handle the legal work, and to these two officials jointly to report to me on such details as required my personal action, such as the exclusion of adulterated and misbranded foods or drugs offered for import, advice as to prosecutions, etc.

I soon discovered that we were needing another chemist to devote his whole time to the work of enforcing the law. The Chief of the Bureau of Chemistry has many other duties in addition to his duties under the pure-food law. The questions to be considered are important, and the decisions are more generally accepted when they are not a one-man product.

To get this additional man, the presidents of some of the leading universities in the country were consulted, and finally Dr. F. L. Dunlap, of the University of Michigan, was appointed, under the strong recommendation of President Angell. Doctor Dunlap was appointed under the authority conferred upon me in the agricultural appropriation act.

Coincident with Doctor Dunlap's appointment, under authority of section 161, Revised Statutes, I organized the Board of Food and Drug Inspection, consisting of the Chief of the Bureau of Chemistry as chairman, Dr. F. L. Dunlap, and Mr. George P. McCabe. This board acts for me. This board advises me on matters concerning which the pure-food law says I must make a decision. It in no way interferes with the duty assigned by the pure-food law to the Bureau of Chemistry. This duty is the examination of samples, and this is the sole duty imposed upon the Bureau of Chemistry by the food and drugs act. This duty that bureau now performs.

I inclose a statement, showing in detail the expenses of the referee board from February 20 to December 31, 1908, inclusive.

Very truly, yours,

JAMES WILSON, Secretary.

General Order No. 111.

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C., April 25, 1907.

There is hereby created in the Department of Agriculture a board of food and drug inspection. The members of the board will be Dr. Harvey W. Wiley, Chief, Bureau of Chemistry, chairman; Dr. Frederick L. Dunlap, associate chemist, Bureau of Chemistry; and Mr. George P. McCabe, Solicitor of the Department of Agriculture. The board will consider all questions arising in the enforcement of the food and drugs act of June 30, 1906, upon which the decision of the Secretary of Agriculture is necessary, and will report its findings to the Secretary for his consideration and decision. All correspondence involving interpretations of the law and questions arising under the law not heretofore passed upon by the Secretary of Agriculture shall be considered by the board. The board is directed to hold frequent meetings at stated times in order that findings may be reported promptly.

In addition to the above duties, the board of food and drug inspection shall conduct all hearings based upon alleged violations of the food and drugs act of June 30, 1906, as provided by regulation 5 of the rules and regulations for the enforcement of the food and drugs act, approved October 17, 1906.

JAMES WILSON,
Secretary of Agriculture.

UNITED STATES DEPARTMENT OF AGRICULTURE,
Washington, D. C., April 25, 1907.

Mr. Frederick L. Dunlap, of the State of Michigan, is hereby appointed associate chemist of the Bureau of Chemistry and a member of the Board of Food and Drug Inspection in the United States Department of Agriculture, at a salary at the rate of \$3,500 per annum, on the miscellaneous roll paid from the fund appropriated for the "Enforcement of the food and drugs act, 1907."

The above-named appointee is hereby required to take the oath of office immediately and file the same, together with a statement of legal and actual residence and personal record, with the appointment clerk in the Department of Agriculture, and report for duty in person to the Secretary of Agriculture, and be subject to the rules and orders of the Secretary of Agriculture. This appointment shall take effect on the appointee taking the oath of office and reporting for duty.

JAMES WILSON,
Secretary of Agriculture.

A true duplicate copy.

R. W. ROBERTS,
Acting Appointment Clerk,
United States Department of Agriculture.

Mr. SCOTT. Mr. Chairman, I move that debate on the pending paragraph close at 5 o'clock.

The motion was agreed to.

Mr. HAYES. Mr. Chairman, the people of California believe in the pure-food law. We are not opposed to the amendment of the gentleman from South Carolina because we are opposed to any part of that law; but I hope the amendment will not prevail, because I believe that a referee board such as has been provided by the Secretary of Agriculture is absolutely necessary for the proper administration of the pure-food act. This board was appointed because, as the Secretary has well said in his letter, there was great difference of opinion among chemists upon certain subjects upon which, under that law, he

was called to act. One of the matters submitted to this referee board is the question of the use of sulphur in the curing of fruit, and I think that the condition of this question shows clearly that this board is absolutely necessary.

Mr. LEVER. Will the gentleman yield for a question?

Mr. HAYES. Yes.

Mr. LEVER. I would like to ask the gentleman from California if it is his contention that there is anywhere in any law authority for the appointment of this referee board of consulting chemists?

Mr. HAYES. Yes; my contention is that there is ample authority, not only in the general law as read from the Chair, but in the pure-food act as well.

Mr. LEVER. I should be glad to have the gentleman put his finger upon it.

Mr. HAYES. That is settled; the Chair has already ruled that the language in the bill is in order and was not opposed to any existing law. That settles that so far as this bill is concerned. In the early stages of the administration of the pure-food law this matter came before the Bureau of Chemistry, and Doctor Wiley held that more than 350 milligrams of sulphur dioxide per kilogram of dried fruit was deleterious to health, thus holding, so far as I know, contrary to the universal opinion of chemists on this subject all over the world.

The rule of the German chemists has been for years that 1,050 milligrams per kilogram of fruit was not deleterious, which is three times the amount that Doctor Wiley has held to be the safe limit.

Mr. ROBERTS. Milligrams of what?

Mr. HAYES. Of sulphur dioxide. Now, the people of California have treated their fruit with sulphur, and they have for years easily met this limit of the German chemists and the French chemists and the chemists of all the governments of the world; yet the ruling of Doctor Wiley, if enforced, would destroy the dried-fruit business. As my colleague has already pointed out, it would cause the loss of millions of dollars invested in this business in California. Now, if the referee board, to whom this matter is referred, should finally find that Doctor Wiley is correct in his conclusion, then, of course, we must abide by that decision, and we are ready to do so; but until it is thus determined by the highest authority I think that the Congress of the United States ought to permit the Secretary to use the method which, under the law, he has provided to determine whether or not Doctor Wiley is correct in his conclusion that anything more than 350 milligrams of sulphur dioxide to the kilogram of fruit is deleterious.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. HAYES. Mr. Chairman, I ask unanimous consent for one minute more.

The CHAIRMAN. The gentleman from California asks unanimous consent that his time be extended for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. HAYES. Now, Mr. Chairman, we have no criticism to make of Doctor Wiley. We have no doubt he is an honest man and is doing what he thinks is his duty, but all men are mortal and liable to err. What we ask in this matter is that the law as the Secretary has interpreted it may continue to be administered, and in this manner all disputed questions may be decided by the referee board, which is composed of men of such high authority in chemistry that when their decision is once announced no one will think of questioning the correctness of their conclusion, whatever it may be.

Mr. HUGHES of New Jersey. Mr. Chairman, this amendment, as I understand it, is aimed to eliminate what seems to be known as the "referee board." Unless I am absolutely mistaken in the premises, this referee board has been appointed practically without authority of law. In other words, as it strikes the ordinary man interested in the administration of the pure-food law, it would seem as though, having passed a law intended to correct a great many evils and abuses, a certain number of people interested in the continuation of those evils and abuses have been powerful enough to have the operation of the law suspended by having this referee board called into existence. If we are going to establish a court of errors and appeals in this matter of pure food, let us do it by law and not by indirection. If it is true that the Chief of the Bureau of Chemistry is not competent to perform the duties of his office and it is necessary to call in these gentlemen with high-sounding names and titles to check up his rulings, let us do it, but let us do it in the light of day; let us do it in the face of the people of the country, who I believe want this law, and who I believe are in favor of its enforcement, and who I believe are behind the Secretary of Agriculture and Doctor Wiley in the manner in which they have directed the enforcement of it.

Now, what is the situation as we find it presented to us here to-day? Just as soon as any body of men interested in the continuation of the sale and distribution of impure food are powerful enough to approach the officers of the Government they, too, may have a referee board appointed. Nobody can possibly know where they are at in this matter. This referee board which makes this last report only removes the subject once more into the domain of doubt and controversy. They set about the well-nigh impossible task of proving a negative. It would be impossible for them to prove actually what they have attempted to prove and say that there were no deleterious substances used in the manufacture of these goods. Of course they can cite the fact that these substances did not deleteriously affect this man or that man, or this or that body of men, but that does not prove anything. It would take a thousand times that amount of testimony to offset the direct results obtained by the Chief of the Bureau of Chemistry when he, acting under the law, acting with all the authority given to him, proves and submits in his report that such substances are deleterious and—

Mr. KAHN. Will the gentleman yield for a question?

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. KAHN. I ask that the gentleman be given one minute more in order to answer a question.

Mr. SCOTT. I am obliged to object, because the time of debate has been limited. I now yield two minutes to the gentleman from Michigan [Mr. TOWNSEND].

Mr. TOWNSEND. Mr. Chairman, personally, I can conceive of nothing more deleterious to the impartial enforcement of the pure-food legislation than the passage of this amendment, which would put in the hands of one man, however good he might be, however wise—and I am not questioning the wisdom of the chief chemist—the power to decide, without review, all great questions of this kind. I have not heard—

Mr. BURLESON. The courts can review his actions.

Mr. TOWNSEND. I have not heard one word of criticism as to the character of this board. It is composed of eminent chemists of national reputation and unquestioned character; and yet because the board did not agree with the Chief of the Division of Chemistry it is proposed to abolish the many and retain the one.

I contend, Mr. Chairman and gentlemen, that this law contemplated that the Secretary of Agriculture should carry out its provisions, that he was to promulgate rules and regulations for enforcing it, and that the appointment of the board was under his advice and with his consent. The spirit and intent of the law has been complied with and great good to the people has been secured, and at the same time no honest manufacturer has been injured by the proper regulations which have been established.

I submit, Mr. Chairman, that we ought to be very careful before we confer such powers as have been conferred in the pure-food law upon one man, for even though, as the gentleman from Texas [Mr. BURLESON] suggests, the courts might review his action, they could not review it until possibly much legitimate business of the country had been destroyed or disastrously affected. The argument thus far advanced in favor of the amendment is the claim that the board is not legally constituted. The ruling of the Chair on the point of order settles the legality of the matter, so far as the House is concerned; and inasmuch as common fairness, as well as the ultimate success of the pure-food law, depends upon its just interpretation and the highest degree of scientific ability employed in fixing standards, and inasmuch as there has been no argument against the board and no denial that it is in the highest degree efficient, I hope the amendment will fail.

Mr. BURLESON. Let me ask the gentleman—

Mr. TOWNSEND. I am fearful I have occupied my two minutes.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. SCOTT. Mr. Chairman, the very clear and comprehensive decision of the Chair in passing upon the point of order raised by the gentleman from South Carolina [Mr. LEVER] seems to leave it unnecessary to further discuss the question of the legality of the appointment of this board of referees. I will pass that, therefore, and call attention to the effect of the amendment that has now been offered by the gentleman from South Carolina [Mr. LEVER], and which, if it should prevail, would bring about the anomalous condition of a bureau chief within a department having greater power than the secretary in charge of that department. If this amendment prevails it means that the Secretary of Agriculture shall have no authority to review a decision which is made by one of his bureau chiefs, or to call upon anybody else to help him reach a determination

in regard to the justice of that view and the wisdom of it. That would be a condition so intolerable from every standpoint of good administration that I can not believe this committee will be willing to support a proposition which will bring it about.

Mr. GAINES of Tennessee and Mr. BURLESON rose.

The CHAIRMAN. Will the gentleman yield?

Mr. SCOTT. I am obliged to decline to yield. The only other point to be considered by the committee is the wisdom of the action of the Secretary in appointing this board of referees. And that is a question also which seems to need no longer discussion than the minute which I have left. It has already been referred to by both the gentlemen from California [Mr. HAYES and Mr. KAHN], who called attention to the enormous industrial and commercial interests that were at stake, great industries that were in danger of destruction if the dictum announced by the Chief of the Bureau of Chemistry should be permitted to stand as the law. Undoubtedly the Secretary of Agriculture exercised wisely the discretion vested in him when, in view of the possibility of irreparable injury to great commercial interests, he determined that the question should not be deemed settled until the last word had been spoken.

And I venture to say that there is not a court in the United States but would hold that the last word has been spoken upon any chemistry proposition when the gentlemen named as members of the board of referees have passed upon it, because they are the most eminent in their profession in the United States.

Mr. BURLESON. Mr. Chairman—

Mr. SCOTT. The wisdom of the Secretary's action therefore seems to be as indisputable as the legality of it, and I trust that the amendment will be voted down.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The question is on the amendment offered by the gentleman from South Carolina [Mr. LEVER].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. LEVER. Division, Mr. Chairman.

The committee divided; and there were—ayes 53, noes 41.

Mr. SCOTT. Tellers, Mr. Chairman. And pending that request, I move that the committee do now rise.

The CHAIRMAN. Pending the request for tellers, the gentleman from Kansas [Mr. SCOTT] moves that the committee do now rise.

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. LEVER. Division, Mr. Chairman.

The committee again divided; and there were—ayes 50, noes 42.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. FOSTER of Vermont, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 27053, the agricultural appropriation bill, and had come to no resolution thereon.

JUSTICES OF THE PEACE COURTS IN THE DISTRICT OF COLUMBIA.

The SPEAKER laid before the House the bill (S. 6350) to change the name and jurisdiction of the inferior court of justice of the peace in the District of Columbia, with the House amendment disagreed to by the Senate.

Mr. SMITH of Michigan. Mr. Speaker, I move that the House insist upon its amendment and agree to the conference asked.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Chair announces the appointment of Mr. CAMPBELL, Mr. OLCOTT, and Mr. JOHNSON of Kentucky, as conferees on the part of the House.

ILLUMINATING GAS.

Mr. SMITH of Michigan. Mr. Speaker, I ask unanimous consent for the present consideration of the following order.

The Clerk read as follows:

House Order No. 24.

Ordered. That the Committee on the District of Columbia be, and hereby are, authorized to investigate the quality and composition of the illuminating gas furnished in the District of Columbia, and to send for persons and papers.

The SPEAKER. Is there objection?

Mr. CLARK of Missouri. Reserving the right to object, have they not been investigating that for the last three or four weeks?

Mr. SMITH of Michigan. There have been five or six witnesses before the committee.

Mr. CLARK of Missouri. What do you want with the order then?

Mr. SMITH of Michigan. We desire to make a further investigation. There has been some claim made by some of the witnesses that it would cost five to seven millions to make a change of the system.

Mr. GAINES of Tennessee. Are you going to report this session?

Mr. SMITH of Michigan. I am not certain whether we will or not. We want the power that is given by this order.

Mr. GAINES of Tennessee. How many experts have you examined?

Mr. SMITH of Michigan. Five or six.

Mr. GAINES of Tennessee. On which side of the question?

Mr. SMITH of Michigan. Well, three upon one side and four upon the other.

Mr. SIMS. The committee has no side.

Mr. SMITH of Michigan. No.

Mr. BARTLETT of Georgia. I would like to ask if the gentleman's committee has been investigating why it is that we have so many gas lamps in the city of Washington, while we also have electric lights, and why it is that we find so many of the old-fashioned gas lamps in the streets?

Mr. SIMS. The Committee on Appropriations can answer that question.

Mr. SMITH of Michigan. I did not hear the gentleman's question.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken, and the order was agreed to.

ALLOWANCE TO DEPUTY UNITED STATES MARSHALS.

Mr. BANNON. Mr. Speaker, I ask unanimous consent to discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill H. R. 16274 and to consider the same in the House.

The Clerk read as follows:

A bill (H. R. 16274) to amend section 10 of chapter 252, volume 29, of Public Statutes at Large.

Be it enacted, etc., That section 10 of chapter 252, volume 29, Public Statutes at Large, is hereby amended by striking out in the twelfth line of said section the word "two" and inserting in place thereof the words "three and one-half," so that said section as amended shall read as follows:

"SEC. 10. That when in the opinion of the Attorney-General the public interest requires it, he may, on the recommendation of the marshal, which recommendation shall state the facts as distinguished from conclusions, showing necessity for the same, allow the marshals to employ necessary office deputies and clerical assistance, upon salaries to be fixed by the Attorney-General, from time to time, and paid as hereinafter provided. When any of such office deputies is engaged in the service of any writ, process, subpoena, or other order of the court, or when necessarily absent from the place of his regular employment, on official business, he shall be allowed his actual traveling expenses only, and his necessary and actual expenses for lodging and subsistence, not to exceed three and one-half dollars per day, and the necessary actual expenses in transporting prisoners, including necessary guard hire; and he shall make and render accounts thereof as hereinafter provided."

The amendments recommended by the committee were read, as follows:

Strike out the words "and one-half" where the same appear in line 7 of page 1 and in line 8 of page 2 of the bill.

The SPEAKER. Is there objection?

Mr. EDWARDS of Georgia. Reserving the right to object, I would like to have an explanation of the bill given by the gentleman. I should like to know if it has been reported on by the Committee on the Judiciary.

The SPEAKER. The bill seems to be reported from the Committee on the Judiciary.

Mr. BANNON. The bill is reported from the Committee on the Judiciary by a unanimous report and is recommended by the Attorney-General. The object of the bill is simply to increase the maximum allowance to office deputies of United States marshals for necessary and actual expenses for lodging and subsistence when necessarily absent on official business outside of the place of their employment, making it \$3 per day.

Mr. FITZGERALD. Three dollars and fifty cents.

Mr. BANNON. No, sir; the amendment strikes out "and a half," and the increase is from two to three dollars per day.

The SPEAKER. Is there objection?

Mr. MACON. I should like to ask the gentleman this question: The bill does not contemplate any great raid on the Treasury, does it?

Mr. BANNON. Oh, no.

Mr. BARTLETT of Georgia. Is there anything in the bill to limit the number of deputies?

Mr. BANNON. The existing law provides for that, and provides that deputies shall not be appointed, except by and with the consent of the Attorney-General.

Mr. BARTLETT of Georgia. In every case?

Mr. BANNON. In every case under the act of 1896.

Mr. BARTLETT of Georgia. What is meant by the provision "when he is compelled to go outside of his territory?"

Mr. BANNON. Why, outside of the locus of his employment. If a man, for instance, is employed in the city of Cincinnati,

and must go to Columbus or to Dayton or to Springfield, then he will receive his expenses, not exceeding \$3 a day.

Mr. BARTLETT of Georgia. The provision ought to be, when he is required to go outside of the district in which he is a deputy. Is it intended to confine it to the city in which he lives?

Mr. BANNON. No; I mean outside of the place of his employment. Take, for instance, a given district, the federal office building will be in a certain city, as in the city of Chicago or the city of Cincinnati. That is the place of his employment. Occasionally the deputy marshal is given a writ and is obliged to go to some other city to serve that writ, and this simply allows him, when he is away from his headquarters, going to another city, not to exceed \$3 per day for expenses; and I want to say for the benefit of the House and the gentleman that before he can get any expenses whatever allowed he must file an itemized account with the Attorney-General, showing every item expended, and an affidavit that it was paid for in good and lawful money of the United States.

Mr. BARTLETT of Georgia. We are in this condition in the southern district, that the marshal for the southern district is also marshal for the eastern division and the southern division of the southern district. In that district are located three cities, Savannah, Augusta, and Macon. Now, the marshal resides at Macon. If he appoints a deputy in Macon and sends him to Augusta, then is he entitled to this extra compensation when he goes from the city of his residence to the city where he attends court?

Mr. BANNON. It is not for compensation at all. It is for expenses.

Mr. BARTLETT of Georgia. It adds that much to his total compensation, though.

Mr. BANNON. It is not for compensation, but merely for expenses and adds nothing to his compensation. This is unanimously reported by the Committee on the Judiciary and recommended by the Attorney-General.

Mr. EDWARDS of Georgia. As I understand the gentleman, there is no contemplation of an increase of salary at all.

Mr. BANNON. None whatever.

Mr. EDWARDS of Georgia. It is merely for expense money.

Mr. BANNON. Merely for expense money.

The SPEAKER. Is there objection?

There was no objection.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. BANNON, a motion to reconsider the last vote was laid on the table.

LAKE ERIE AND OHIO RIVER SHIP CANAL.

Mr. DALZELL. Mr. Speaker, I ask unanimous consent to discharge the Committee on Railways and Canals from the further consideration of Senate bill 8154, to amend the charter of the Lake Erie and Ohio River Ship Canal Company, approved June 30, 1906.

I make this request in order to get the return of the bill to the Speaker's table. A similar bill has been reported by that committee to the House, and the Senate bill has been referred to that committee but not reported.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to discharge the Committee on Railways and Canals from the further consideration of the Senate bill referred to, of which the Clerk will report the title, and that the same be returned to the Speaker's table.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. FITZGERALD. What is the purpose of getting this onto the Speaker's table—a change of reference?

Mr. DALZELL. No; I want to get a chance to pass it in the House. The Senate bill went to the Committee on Railways and Canals of the House on the same day that the Committee on Railways and Canals reported an identical bill.

Mr. FITZGERALD. What does this bill do?

Mr. DALZELL. It extends the time for the completion of this canal. The gentleman will have an opportunity to pass on the merits of it when I ask to pass the bill.

Mr. FITZGERALD. Is this the only way the gentleman can get the bill from the Railway and Canals Committee?

Mr. DALZELL. It is not the only way. The committee could report it, probably, in time.

Mr. FITZGERALD. The gentleman is on the Committee on Rules, is he not? He could have a rule by which he could bring this matter before the House.

Mr. DALZELL. Oh, yes.

Mr. FITZGERALD. If this request be granted, it will be on the Speaker's table, a similar House bill having been reported.

Mr. DALZELL. Yes; I can ask unanimous consent for consideration, and that is what I propose to do.

Mr. FITZGERALD. Does it require unanimous consent?

Mr. DALZELL. No; I do not think it does.

Mr. FITZGERALD. I think the gentleman ought to let us know what the provisions of the bill are, because if he puts the bill on its passage, it will pass regardless of whether we wish to consent or not.

Mr. DALZELL. I can state what the purpose of the bill is. The charter granted by the last Congress, or perhaps the Congress before, to this company provided that the canal should be commenced within a certain period of time and completed within a certain period. The incorporators have been at work, expended a large amount of money for procuring rights of way and storage reservoirs, and have been prevented from financing the scheme as they expected to do, by reason of the panic. They ask now an extension of time for the commencement of the canal and for its completion.

Mr. MACON. How much time?

Mr. DALZELL. I have forgotten just the period. What does the bill say?

The SPEAKER. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That section 19 of the act granting the Lake Erie and Ohio River Ship Canal Company rights to construct, equip, maintain, and operate a canal or canals and appurtenant works between the Ohio River, in the State of Pennsylvania, and Lake Erie, in the State of Ohio, approved June 30, 1906, be, and it is hereby, amended as follows: In said section of said act strike out the words "three years" and insert the words "six years" in lieu thereof; also strike out the words "ten years" and insert the words "thirteen years" in lieu thereof.

Mr. DALZELL. It gives three additional years.

Mr. GARRETT. Does the gentleman ask for consideration of the bill now?

Mr. DALZELL. No; I do not ask for consideration now.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none and it is so ordered.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 8460. An act to provide for the deduction of hatchways and water-ballast space from the gross tonnage of vessels.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that they had this day presented to the President of the United States for his approval the following bills:

H. R. 24303. An act for the relief of the estate of Charles Fitzgerald;

H. R. 24635. An act to create a new division in the middle judicial district of the State of Tennessee; and

H. R. 27427. An act to prohibit the importation and use of opium for other than medicinal purposes.

SENATE BILL AND RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, Senate bill and resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 8906. An act to provide for the retirement of certain officers on the active list of the Regular Army who have been passed over in promotion by officers junior to them in length of commissioned service—to the Committee on Military Affairs.

Senate concurrent resolution 82.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made to ascertain the most feasible and practicable route to build a canal or inland waterway on the shores of the Gulf of Mexico, connecting St. Andrews Bay, in the State of Florida, and the Mississippi River, near New Orleans, in the State of Louisiana, with a view to determining the advantage, best location, and probable cost of such canal or inland waterway, and to submit a plan and an estimate for such improvements—to the Committee on Rivers and Harbors.

Senate concurrent resolution 83.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination and survey to be made of Potham Beach, Maine, with a view to the building of a bulkhead or breakwater along said beach for the protection of property of the United States, and to prevent the deposit of sand in navigable waters adjacent thereto—to the Committee on Rivers and Harbors.

Senate concurrent resolution 86.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to cause a survey to be made of the harbor at Blaine, Wash., to determine cost and advisability of its improvements—to the Committee on Rivers and Harbors.

ADJOURNMENT.

Mr. SCOTT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 5 o'clock and 20 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

A letter from the chairman of the Interstate Commerce Commission, transmitting a reply to the inquiry of the House as to advances in freight charges (H. Doc. No. 1412)—to the Committee on Interstate and Foreign Commerce and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of State submitting an estimate of appropriation for payment of the claim of the Roman Catholic Church in Porto Rico (H. Doc. No. 1413)—to the Committee on Insular Affairs and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for claims allowed by accounting officers under exhausted appropriations, etc. (H. Doc. No. 1414)—to the Committee on Appropriations and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for pneumatic-tube service in the customs service in New York City (H. Doc. No. 1415)—to the Committee on Appropriations and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Auditor for the War Department submitting an estimate of appropriation for payment of the claims of the State of Kansas (H. Doc. No. 1416)—to the Committee on Appropriations and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Attorney-General submitting an estimate of appropriation for payments of judgments in Indian depredation cases (H. Doc. No. 1417)—to the Committee on Appropriations and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting papers and recommendations relating to appropriations to satisfy the judgment in the case of the Eastern Cherokees against The United States (H. Doc. No. 1418)—to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. MARTIN, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 23473) extending the time for final entry of mineral claims within the Shoshone or Wind River Reservation in Wyoming, reported the same without amendment, accompanied by a report (No. 2041), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HULL of Iowa, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 21138) to increase the efficiency of the Pay Department, U. S. Army, reported the same with amendments, accompanied by a report (No. 2043), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ALEXANDER of New York, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 26068) providing for an additional judge for the western district of Pennsylvania, and for other purposes, reported the same without amendment, accompanied by a report (No. 2044), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HACKNEY, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 27244) to enable the Winnebago Indians to protect from overflow their tribal and allotted lands located within the boundaries of any drainage district in Nebraska, reported the same without amendment, accompanied by a report (No. 2045), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CAPRON, from the Committee on Foreign Affairs, to which was referred the bill of the House (H. R. 27818) providing for participation in the Universal and International Exhi-

bition to be held at Brussels in 1910, reported the same without amendment, accompanied by a report (No. 2047), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GREENE, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill of the House (H. R. 27479) to require motor vessels to be equipped with mufflers, reported the same without amendment, accompanied by a report (No. 2046), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. HASKINS, from the Committee on War Claims, to which was referred the amendments of the Senate to the bill of the House (H. R. 15372) for the allowance of certain claims reported by the Court of Claims under the provisions of the acts approved March 3, 1883, and March 3, 1887, and commonly known as the "Bowman" and the "Tucker" acts, and for other purposes, reported the same, accompanied by a report (No. 2038), which said amendments, bill, and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4168) to carry out the findings of the Court of Claims in the case of James A. Paulk, reported the same without amendment, accompanied by a report (No. 2039), which said bill and report were referred to the Private Calendar.

Mr. HOWLAND, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 23699) to grant to John T. Rivett privilege to make commutation of his homestead entry, reported the same without amendment, accompanied by a report (No. 2040), which said bill and report were referred to the Private Calendar.

Mr. HULL of Iowa, from the Committee on Military Affairs, to which was referred the joint resolution of the Senate (S. R. 119) authorizing the Secretary of War to award gold medals to Orville Wright and Wilbur Wright, reported the same with amendment, accompanied by a report (No. 2042), which said joint resolution and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 27464) granting a pension to Emmett Puckett—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 27569) granting an increase of pension to Stanley R. Bronson—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 17779) granting an increase of pension to S. G. Ragsdale—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 27633) granting a pension to Henry M. Allen—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. STEVENS of Minnesota: A bill (H. R. 27666) regulating details of officers of the army—to the Committee on Military Affairs.

By Mr. SMITH of Michigan: A bill (H. R. 27667) to amend an act authorizing the Commissioners of the District of Columbia to grant to the Veteran Volunteer Firemen's Association use of certain property in the city of Washington, approved March 2, 1891—to the Committee on the District of Columbia.

By Mr. KAHN: A bill (H. R. 27668) to amend sections 612, 613, 617, and 621 of the Code of Law for the District of Columbia—to the Committee on the District of Columbia.

By Mr. COOK of Colorado: A bill (H. R. 27669) to amend paragraph 7, chapter 389, of volume 1 (second edition) of the Supplement to the Revised Statutes of the United States, relating to park watchmen—to the Committee on Public Buildings and Grounds.

By Mr. CARY: A bill (H. R. 27670) for the prevention and punishment of cruelty to animals—to the Committee on the District of Columbia.

By Mr. DALZELL: A bill (H. R. 27671) providing for an additional judge for the western district of Pennsylvania, and for other purposes—to the Committee on the Judiciary.

By Mr. BURKE: A bill (H. R. 27672) to require radio-telegraphic installations and radio-telegraphers on certain ocean steamers—to the Committee on the Merchant Marine and Fisheries.

By Mr. OLCOTT: A bill (H. R. 27673) to incorporate the trustees of the Chi Psi Fraternity—to the Committee on the District of Columbia.

By Mr. LINDSAY: Joint resolution (H. J. Res. 251) to authorize the Secretary of War to furnish 50 condemned rifles to the Union Guard, a military organization attached to the Church of the Most Holy Trinity, of Brooklyn, N. Y.—to the Committee on Military Affairs.

By Mr. RODENBERG: Concurrent resolution (H. C. Res. 63) authorizing the Interstate Commerce Commission to make investigations concerning railroad appliances, etc.—to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ACHESON: A bill (H. R. 27674) granting an increase of pension to George W. Lloyd—to the Committee on Invalid Pensions.

By Mr. ANDRUS: A bill (H. R. 27675) granting an increase of pension to John Meadows—to the Committee on Invalid Pensions.

By Mr. BARCHFELD: A bill (H. R. 27676) authorizing and directing the Secretary of State to examine and settle the claim of the Wales Island Packing Company—to the Committee on Claims.

By Mr. BARNHART: A bill (H. R. 27677) granting an increase of pension to John R. Kissinger—to the Committee on Pensions.

By Mr. BURLESON: A bill (H. R. 27678) granting an increase of pension to Henry C. Hubert—to the Committee on Pensions.

Also, a bill (H. R. 27679) granting an increase of pension to Henry T. Hill—to the Committee on Pensions.

Also, a bill (H. R. 27680) granting an increase of pension to Isaac C. Holt—to the Committee on Pensions.

Also, a bill (H. R. 27681) granting an increase of pension to John Hutchinson—to the Committee on Pensions.

Also, a bill (H. R. 27682) granting an increase of pension to John W. Harris—to the Committee on Pensions.

Also, a bill (H. R. 27683) granting an increase of pension to Joseph H. Harris—to the Committee on Pensions.

Also, a bill (H. R. 27684) granting an increase of pension to Joshua F. Huff—to the Committee on Pensions.

Also, a bill (H. R. 27685) granting an increase of pension to Montraville Harrell—to the Committee on Pensions.

Also, a bill (H. R. 27686) granting an increase of pension to Robert T. Hurley—to the Committee on Pensions.

Also, a bill (H. R. 27687) granting an increase of pension to Robert W. Hall—to the Committee on Pensions.

Also, a bill (H. R. 27688) granting an increase of pension to William Hurst—to the Committee on Pensions.

Also, a bill (H. R. 27689) granting an increase of pension to Christopher C. Johnson—to the Committee on Pensions.

Also, a bill (H. R. 27690) granting an increase of pension to Edwin P. Jones—to the Committee on Pensions.

Also, a bill (H. R. 27691) granting an increase of pension to Frank Jenull—to the Committee on Pensions.

Also, a bill (H. R. 27692) granting an increase of pension to John J. Jacobs—to the Committee on Pensions.

Also, a bill (H. R. 27693) granting an increase of pension to William B. King—to the Committee on Pensions.

Also, a bill (H. R. 27694) granting an increase of pension to Robert H. King—to the Committee on Pensions.

Also, a bill (H. R. 27695) granting an increase of pension to Richard J. D. Kolb—to the Committee on Pensions.

Also, a bill (H. R. 27696) granting an increase of pension to James W. Kennedy—to the Committee on Pensions.

Also, a bill (H. R. 27697) granting an increase of pension to Stephen A. Jones—to the Committee on Pensions.

Also, a bill (H. R. 27698) granting an increase of pension to Thomas C. Capell—to the Committee on Pensions.

Also, a bill (H. R. 27699) granting an increase of pension to William A. Cole—to the Committee on Pensions.

Also, a bill (H. R. 27700) granting an increase of pension to John H. Bingham—to the Committee on Pensions.

Also, a bill (H. R. 27701) granting an increase of pension to Alexander B. Davis—to the Committee on Pensions.

Also, a bill (H. R. 27702) granting an increase of pension to Benjamin F. Dye—to the Committee on Pensions.

Also, a bill (H. R. 27703) granting an increase of pension to Charles Wesley Danley—to the Committee on Pensions.

Also, a bill (H. R. 27704) granting an increase of pension to John H. Debord—to the Committee on Pensions.

Also, a bill (H. R. 27705) granting an increase of pension to Alexander Earp—to the Committee on Pensions.

Also, a bill (H. R. 27706) granting an increase of pension to Henry W. Ellis—to the Committee on Pensions.

Also, a bill (H. R. 27707) granting an increase of pension to Robert W. Eller—to the Committee on Pensions.

Also, a bill (H. R. 27708) granting an increase of pension to Adam H. Files—to the Committee on Pensions.

Also, a bill (H. R. 27709) granting an increase of pension to John M. Fleming—to the Committee on Pensions.

Also, a bill (H. R. 27710) granting an increase of pension to Solomon Fitzhugh—to the Committee on Pensions.

Also, a bill (H. R. 27711) granting an increase of pension to William B. Fleming—to the Committee on Pensions.

Also, a bill (H. R. 27712) granting an increase of pension to Elijah Goodnight—to the Committee on Pensions.

Also, a bill (H. R. 27713) granting an increase of pension to Emory Gibbons—to the Committee on Pensions.

Also, a bill (H. R. 27714) granting an increase of pension to Frederick Mortimer Gibony—to the Committee on Pensions.

Also, a bill (H. R. 27715) granting an increase of pension to John R. Gibbons—to the Committee on Pensions.

Also, a bill (H. R. 27716) granting an increase of pension to Wenceslao Garza—to the Committee on Pensions.

Also, a bill (H. R. 27717) granting an increase of pension to William R. Gregg—to the Committee on Pensions.

Also, a bill (H. R. 27718) granting an increase of pension to Alfred House—to the Committee on Pensions.

Also, a bill (H. R. 27719) granting an increase of pension to John Campbell—to the Committee on Pensions.

Also, a bill (H. R. 27720) granting an increase of pension to John F. Arnett—to the Committee on Pensions.

Also, a bill (H. R. 27721) granting an increase of pension to Abner H. Beard—to the Committee on Pensions.

Also, a bill (H. R. 27722) granting an increase of pension to Alfred G. Brown—to the Committee on Pensions.

Also, a bill (H. R. 27723) granting an increase of pension to Anton L. Berger—to the Committee on Pensions.

Also, a bill (H. R. 27724) granting an increase of pension to Charles Bock—to the Committee on Pensions.

Also, a bill (H. R. 27725) granting an increase of pension to James Besser—to the Committee on Pensions.

Also, a bill (H. R. 27726) granting an increase of pension to William L. Williams—to the Committee on Pensions.

Also, a bill (H. R. 27727) granting an increase of pension to James S. Bigham—to the Committee on Pensions.

Also, a bill (H. R. 27728) granting an increase of pension to Joseph Boles—to the Committee on Pensions.

Also, a bill (H. R. 27729) granting an increase of pension to Milton C. Baird—to the Committee on Pensions.

Also, a bill (H. R. 27730) granting an increase of pension to William H. Baxter—to the Committee on Pensions.

Also, a bill (H. R. 27731) granting an increase of pension to Benjamin F. Cotton—to the Committee on Pensions.

Also, a bill (H. R. 27732) granting an increase of pension to Elijah S. Close—to the Committee on Pensions.

Also, a bill (H. R. 27733) granting an increase of pension to Isaac S. Chapman—to the Committee on Pensions.

Also, a bill (H. R. 27734) granting an increase of pension to Jerry C. Campbell—to the Committee on Pensions.

Also, a bill (H. R. 27735) granting an increase of pension to John Campbell—to the Committee on Pensions.

Also, a bill (H. R. 27736) granting an increase of pension to Nicholas N. Cox—to the Committee on Pensions.

Also, a bill (H. R. 27737) granting an increase of pension to Robert Carson—to the Committee on Pensions.

Also, a bill (H. R. 27738) granting an increase of pension to John Y. Rankin—to the Committee on Pensions.

Also, a bill (H. R. 27739) granting an increase of pension to Francis M. Rainbolt—to the Committee on Pensions.

Also, a bill (H. R. 27740) granting an increase of pension to Marion M. Redmon—to the Committee on Pensions.

Also, a bill (H. R. 27741) granting an increase of pension to William B. Reagan—to the Committee on Pensions.

Also, a bill (H. R. 27742) granting an increase of pension to Benjamin N. Shropshire—to the Committee on Pensions.

Also, a bill (H. R. 27743) granting an increase of pension to Gustav H. Schmeltzer—to the Committee on Pensions.

Also, a bill (H. R. 27744) granting an increase of pension to Israel S. Standefer—to the Committee on Pensions.

Also, a bill (H. R. 27745) granting an increase of pension to Josephus Sparrow—to the Committee on Pensions.

Also, a bill (H. R. 27746) granting an increase of pension to Robert Schaefer—to the Committee on Pensions.

Also, a bill (H. R. 27747) granting an increase of pension to Samuel Shelton—to the Committee on Pensions.

Also, a bill (H. R. 27748) granting an increase of pension to Valerius P. Sanders—to the Committee on Pensions.

Also, a bill (H. R. 27749) granting an increase of pension to George W. Tom—to the Committee on Pensions.

Also, a bill (H. R. 27750) granting an increase of pension to H. Simpson Tom—to the Committee on Pensions.

Also, a bill (H. R. 27751) granting an increase of pension to William O. Tumlinson—to the Committee on Pensions.

Also, a bill (H. R. 27752) granting an increase of pension to Charles A. Williams—to the Committee on Pensions.

Also, a bill (H. R. 27753) granting an increase of pension to David A. T. Walton—to the Committee on Pensions.

Also, a bill (H. R. 27754) granting an increase of pension to Emil F. Wurzbach—to the Committee on Pensions.

Also, a bill (H. R. 27755) granting an increase of pension to Isaac Williams—to the Committee on Pensions.

Also, a bill (H. R. 27756) granting an increase of pension to James F. Wright—to the Committee on Pensions.

Also, a bill (H. R. 27757) granting an increase of pension to Philip A. Work—to the Committee on Pensions.

Also, a bill (H. R. 27758) granting an increase of pension to James P. H. Wilson—to the Committee on Pensions.

Also, a bill (H. R. 27759) granting an increase of pension to Sebastian Wipff, sr.—to the Committee on Pensions.

Also, a bill (H. R. 27760) granting an increase of pension to William A. White—to the Committee on Pensions.

Also, a bill (H. R. 27761) granting an increase of pension to William A. Williams—to the Committee on Pensions.

Also, a bill (H. R. 27762) granting an increase of pension to Wilson H. White—to the Committee on Pensions.

Also, a bill (H. R. 27763) granting an increase of pension to George H. Adams—to the Committee on Pensions.

Also, a bill (H. R. 27764) granting an increase of pension to Jacob Anders—to the Committee on Pensions.

Also, a bill (H. R. 27765) granting an increase of pension to Joel W. Adkins—to the Committee on Pensions.

Also, a bill (H. R. 27766) granting an increase of pension to Valentine Wilson—to the Committee on Pensions.

Also, a bill (H. R. 27767) granting an increase of pension to Hezekiah G. Williams—to the Committee on Pensions.

Also, a bill (H. R. 27768) granting an increase of pension to Hermann W. Toepperwein—to the Committee on Pensions.

Also, a bill (H. R. 27769) granting an increase of pension to George W. Light—to the Committee on Pensions.

Also, a bill (H. R. 27770) granting an increase of pension to James M. Low—to the Committee on Pensions.

Also, a bill (H. R. 27771) granting an increase of pension to Levi D. Ladd—to the Committee on Pensions.

Also, a bill (H. R. 27772) granting an increase of pension to Martin V. Lackey—to the Committee on Pensions.

Also, a bill (H. R. 27773) granting an increase of pension to Robert G. Long—to the Committee on Pensions.

Also, a bill (H. R. 27774) granting an increase of pension to David McEadden—to the Committee on Pensions.

Also, a bill (H. R. 27775) granting an increase of pension to George W. McKinzie—to the Committee on Pensions.

Also, a bill (H. R. 27776) granting an increase of pension to Samuel J. McElrath—to the Committee on Pensions.

Also, a bill (H. R. 27777) granting an increase of pension to Joseph Mahavier—to the Committee on Pensions.

Also, a bill (H. R. 27778) granting an increase of pension to Leonard Moss—to the Committee on Pensions.

Also, a bill (H. R. 27779) granting an increase of pension to Lewellen Moore—to the Committee on Pensions.

Also, a bill (H. R. 27780) granting an increase of pension to Marcellus Moore—to the Committee on Pensions.

Also, a bill (H. R. 27781) granting an increase of pension to Charles H. Nimitz—to the Committee on Pensions.

Also, a bill (H. R. 27782) granting an increase of pension to Frederick W. Nehaus—to the Committee on Pensions.

Also, a bill (H. R. 27783) granting an increase of pension to Charles A. Patton—to the Committee on Pensions.

Also, a bill (H. R. 27784) granting an increase of pension to George S. Powell—to the Committee on Pensions.

Also, a bill (H. R. 27785) granting an increase of pension to Green B. Powell—to the Committee on Pensions.

Also, a bill (H. R. 27786) granting an increase of pension to Robert Parsons—to the Committee on Pensions.

Also, a bill (H. R. 27787) granting an increase of pension to William W. Parker—to the Committee on Pensions.

By Mr. CHAPMAN: A bill (H. R. 27788) granting a pension to George Frazier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 27789) granting an increase of pension to William J. Gwaltney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 27790) granting an increase of pension to Calvin Burton, alias Calvin Birg—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 27791) granting an increase of pension to Robert Lyman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 27792) granting an increase of pension to William R. Fontaine—to the Committee on Pensions.

By Mr. DE ARMOND: A bill (H. R. 27793) granting an increase of pension to William Davis—to the Committee on Invalid Pensions.

By Mr. DOUGLAS: A bill (H. R. 27794) granting an increase of pension to Robert Knox—to the Committee on Invalid Pensions.

By Mr. FASSETT: A bill (H. R. 27795) granting an increase of pension to Thomas Putnam—to the Committee on Invalid Pensions.

By Mr. FLOOD: A bill (H. R. 27796) granting a pension to Myers Fertig—to the Committee on Pensions.

By Mr. FULLER: A bill (H. R. 27797) granting an increase of pension to Julia McPhail—to the Committee on Invalid Pensions.

By Mr. GILLESPIE: A bill (H. R. 27798) for the relief of the heirs of John Ferrel, deceased—to the Committee on War Claims.

By Mr. HARDING: A bill (H. R. 27799) granting an increase of pension to Donald McDonald—to the Committee on Invalid Pensions.

By Mr. HELM: A bill (H. R. 27800) granting a pension to H. Rowan Saufley—to the Committee on Pensions.

By Mr. KIMBALL: A bill (H. R. 27801) granting a pension to Eliza Jane Ellis—to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 27802) granting a pension to Evalina Inswiler—to the Committee on Invalid Pensions.

By Mr. PATTERSON: A bill (H. R. 27803) for the relief of Alden R. Holden—to the Committee on Claims.

By Mr. RAUCH: A bill (H. R. 27804) granting a pension to Martha Dunkle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 27805) granting an increase of pension to Robert M. Miller—to the Committee on Invalid Pensions.

By Mr. SABATH: A bill (H. R. 27806) granting an increase of pension to Frank G. Cook—to the Committee on Pensions.

Also, a bill (H. R. 27807) granting an increase of pension to Joseph A. Paul—to the Committee on Pensions.

By Mr. SULZER: A bill (H. R. 27808) for the relief of Charles Wright Geddes—to the Committee on Naval Affairs.

By Mr. TIRRELL: A bill (H. R. 27809) to reimburse Charles K. Darling for moneys necessarily expended by him as clerk of the court of appeals for the first circuit—to the Committee on Claims.

By Mr. MURDOCK: A bill (H. R. 27810) for the relief of E. N. Smith—to the Committee on Claims.

Also, a bill (H. R. 27811) for the relief of the Watson Mill Company—to the Committee on Claims.

Also, a bill (H. R. 27812) granting an increase of pension to Charles W. Charter—to the Committee on Invalid Pensions.

By Mr. SABATH: A bill (H. R. 27813) granting a pension to Mary Petrik—to the Committee on Pensions.

Also, a bill (H. R. 27814) granting a pension to Anton Slama—to the Committee on Pensions.

Also, a bill (H. R. 27815) granting a pension to Marie Kuchar—to the Committee on Pensions.

By Mr. SHERLEY: A bill (H. R. 27816) granting a pension to Teresa C. Cooper—to the Committee on Invalid Pensions.

By Mr. SULLOWAY: A bill (H. R. 27817) granting an increase of pension to Samuel F. Johnson—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALLEN: Petition of the Elias Thomas Company and the Thompson Hall Company, of Portland, Me., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. ANSBERRY: Petition of Board of Trade of Columbus, Ohio, favoring such legislation touching transportation as is best calculated to restore business confidence—to the Committee on Interstate and Foreign Commerce.

Also, petition of farmers' institute held at Haviland, Paulding County, Ohio, January 23, 1909, in favor of parcels post and postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. ASHBROOK: Petition of the Ohio Seventh-Day Adventists conference, against S. 3940 (Johnston Sunday law)—to the Committee on the District of Columbia.

By Mr. BATES: Petition of W. H. Duffey & Co., of Corry, Pa., for removal of duty on hides—to the Committee on Ways and Means.

Also, petition of C. A. Curtze, of Erie, Pa., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of Chamber of Commerce of Erie, Pa., favoring creation of a permanent tariff commission—to the Committee on Ways and Means.

By Mr. BIRDSALL: Petition of Robert Large and other citizens of Iowa, against duty on teas and coffee—to the Committee on Ways and Means.

By Mr. BUIKE: Petition of Pittsburg Association of Credit Men, favoring the Sherley bill (H. R. 21929), amending the national bankruptcy act—to the Committee on the Judiciary.

Also, petition of the H. J. Heinz Company, of Pittsburg, favoring bills proposing certain amendments to the interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

Also, petition of the American Bridge Company, favoring Senate Document No. 686, for purchase and erection of a government testing machine—to the Committee on Appropriations.

Also, petition of John F. Becker and others, favoring the omnibus claims bill (H. R. 15372) for payment of overtime claims of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. CALDER: Petition of J. W. Miller, captain of New York Naval Militia, favoring H. R. 7620, establishing a naval militia—to the Committee on Naval Affairs.

Also, petition of National Rivers and Harbors Congress, favoring issuance of bonds to improve such waterways of the country as have been favorably reported upon by the United States Corps of Engineers through the Secretary of War—to the Committee on Rivers and Harbors.

Also, petition of office of superintendent of public works of Albany, for legislation to aid in the improvement of the upper Hudson River—to the Committee on Rivers and Harbors.

Also, petition of New York Produce Exchange, against federal inspection and grading of grain (S. 382)—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Maritime Association of the Port of New York, favoring H. R. 15657, relative to licensed officers of steam and sail vessels—to the Committee on the Merchant Marine and Fisheries.

By Mr. CAPRON: Petition of the Dry Dock and Marine Railway Company, Providence, R. I., favoring H. R. 25542, regarding maritime liens—to the Committee on the Merchant Marine and Fisheries.

By Mr. CARY: Petition of Chamber of Commerce of Milwaukee, favoring "An act to regulate commerce" (H. R. 22901, 22902, and 22903)—to the Committee on Interstate and Foreign Commerce.

Also, petition of C. F. Schimmel & Co., for removal of specific duty on linoleum and oilcloth (8 cents per yard on same and 20 cents per square yard on other kinds)—to the Committee on Ways and Means.

By Mr. COCKS of New York: Paper to accompany bill for relief of Edward Trenchard—to the Committee on Claims.

By Mr. COOK of Pennsylvania: Petition of Philadelphia Law Association, favoring increase of salaries of United States judges (S. 6973)—to the Committee on Appropriations.

By Mr. DRAPER: Petition of Illinois Manufacturers' Association, for establishment of a merchant marine to insure a line of fast ships for Australia, Asia, and the Orient—to the Committee on the Merchant Marine and Fisheries.

By Mr. ELLIS of Missouri: Paper to accompany bill for relief of Charles E. Collins—to the Committee on Invalid Pensions.

By Mr. FAIRCHILD: Petition of J. O. & G. N. Rowe, of Oneonta, N. Y., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. FULLER: Petition of John S. Collins, of Moorestown, N. J., against parcels-post and postal savings bank laws—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Keep, Nathan & Fisher Company, of Chicago, and Bradner Smith & Co., favoring improvement of bankruptcy act in the Sherley bill (H. R. 21929)—to the Committee on the Judiciary.

Also, petition of Illinois Manufacturers' Association, for enactment of an ocean mail steamship bill to secure a line of fast ships to Australia, Asia, and the Orient—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Illinois State Horticultural Society, favoring S. 6515 and H. R. 21358, concerning national supervision over insecticides and fungicides—to the Committee on Agriculture.

Also, paper to accompany bill for relief of Julia McPhail—to the Committee on Invalid Pensions.

By Mr. GOULDEN: Petition of Society of Columbia University Architects, against placing the Lincoln memorial near the Union Station—to the Committee on the Library.

By Mr. GRAHAM: Petition of John F. Becker and others, favoring H. R. 15375, for payment of overtime claim of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, petition of Pittsburg Association of Credit Men, favoring amendment to the bankruptcy act as per the Sherley bill (H. R. 21929)—to the Committee on the Judiciary.

Also, petition of American Bridge Company, of Pittsburg, Pa., favoring appropriation for construction of a testing machine (S. Doc. No. 686)—to the Committee on Appropriations.

Also, petition of the H. J. Heinz Company, of Pittsburg, Pa., favoring certain bills proposing amendments to the interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

By Mr. GRONNA: Petitions of citizens of Norwood, McVie, and Clyde, all in the State of North Dakota, against a tariff on tea and coffee—to the Committee on Ways and Means.

By Mr. HAMILTON of Iowa: Petition of 850 citizens and church members of Keota, Iowa, favoring legislation against importation of opium—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Oskaloosa, Iowa, against the establishment of a parcels post—to the Committee on the Post-Office and Post-Roads.

By Mr. HAMMOND: Petition of C. W. Denhart and 29 others, of Pipestone, Minn., against duty on tea and coffee—to the Committee on Ways and Means.

By Mr. HASKINS: Petition of Danville Grange, No. 325, of Danville, Vt., favoring the establishment of parcels post and postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, petition of White River Grange, No. 53, of South Royalton, Vt., in favor of H. R. 15837, for a national highways commission and appropriation giving federal aid to construction and maintenance of public highways—to the Committee on Agriculture.

By Mr. HOUSTON: Paper to accompany bill for relief of James Smithson (H. R. 24710)—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of heirs of Robert Fullerton (H. R. 23918)—to the Committee on War Claims.

By Mr. HOWELL of New Jersey: Petition of Manufacturing Jewelers' Association, of Newark, N. J., favoring a permanent tariff commission—to the Committee on Ways and Means.

Also, petition of Rev. J. G. Mason, against sale of intoxicants in all ships and buildings used by the United States (Tirrell bill, H. R. 12405), and in favor of various other bills upon the subject of temperance—to the Committee on Alcoholic Liquor Traffic.

By Mr. HUFF: Petition of Kansas State Retail Merchants' Association, favoring S. 28, relative to ocean mail—to the Committee on the Post-Office and Post-Roads.

By Mr. KIMBALL: Petition of Turners Station (Ky.) Bank, against parcels post on the rural mail-delivery routes and postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, petition of E. L. Martin and others, of Lexington, Ky., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. LAFEAN: Paper to accompany bill for relief of Abraham Hetrick (H. R. 21970)—to the Committee on Military Affairs.

Also, paper to accompany bill for relief of Evalina Imswiler—to the Committee on Invalid Pensions.

By Mr. LINDBERGH: Petition of citizens of Litchfield, Minn., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. LOUD: Petition of business men of Oscada, Mich., against establishment of parcels post and postal savings banks (S. 5122 and 6484)—to the Committee on the Post-Office and Post-Roads.

By Mr. MANN: Petition of Illinois Manufacturers' Association, favoring establishment of a merchant marine of fast ships for Australia, Asia, and the Orient—to the Committee on the Merchant Marine and Fisheries.

By Mr. PEARRE: Petition of citizens of Frostburg, Hancock, Mount Savage, Echert Mines, and Cumberland, all in the State of Maryland, against establishment of a parcels-post and postal savings bank system—to the Committee on the Post-Office and Post-Roads.

Also, petition of E. H. Welsh and Hetzel Brothers & Co., of Cumberland, Md., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. RAINEY: Petition of Hansfurther Stone Company and 6 other business firms of White Hall, Ill., favoring repeal of duty on hides—to the Committee on Ways and Means.

By Mr. SULZER: Paper to accompany bill for relief of Charles Wright Geddes—to the Committee on Naval Affairs.

Also, petition of Religious Liberty Bureau, against passage of Johnston bill (S. 3940)—to the Committee on the District of Columbia.

Also, petition of Headquarters Grand Army of the Republic and F. H. Magdeburg, of Milwaukee, against consolidation of pension agencies at Washington—to the Committee on Appropriations.

Also, petition of National Lumber Manufacturers' Association, against reduction of tariff on lumber—to the Committee on Ways and Means.

Also, petition of board of directors of New Orleans Cotton Exchange, favoring investigation by the Secretary of Agriculture into the use and substitution of raw cotton for other materials of manufacture and report thereon—to the Committee on Agriculture.

Also, petition of Shore Line Railway Association, for legislation to secure fair compensation for railway service of carrying the mails—to the Committee on the Post-Office and Post-Roads.

Also, petition of New York Produce Exchange, against federal inspection and grading of grain (S. 382)—to the Committee on Interstate and Foreign Commerce.

Also, petition of J. W. Miller, captain of New York Naval Militia, favoring H. R. 7620, establishing a naval militia—to the Committee on Naval Affairs.

Also, petition of Calaveras bigtree committee of the Outdoor Art League of the Department of California Club, for appropriation to preserve the big trees of the Calaveras groves—to the Committee on Agriculture.

Also, memorial of Spring Valley Water Company, against House joint resolution 223, allowing city and county of San Francisco to exchange lands for reservoir sites in Lake Eleanor and Hetch Hetchy valleys, in the Yosemite National Park, and for other purposes—to the Committee on the Public Lands.

By Mr. TAYLOR of Ohio: Petition of Isaac Eberly Company and G. W. Bobb Company, of Columbus, Ohio, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. TIRRELL: Petition of W. J. Nutting and others, for the creation of a national highways commission (H. R. 15837)—to the Committee on Agriculture.

By Mr. TOU VELLE: Petition of Gibson Grange, No. 692, for national highways commission and federal aid in construction of public roads (H. R. 15837)—to the Committee on Interstate and Foreign Commerce.

By Mr. TOWNSEND: Petition of Tecumseh Grange, of Tecumseh, Mich., favoring Senate bills 5122 and 6484, for the parcels-post and postal savings bank system—to the Committee on the Post-Office and Post-Roads.

Also, petition of Michigan Chapter of the American Institute of Architects, against placing the Lincoln memorial near the Union Station—to the Committee on the Library.

Also, petition of Cadmus Grange, for the creation of a national highways commission and for an appropriation to give federal aid to the States in highway construction (H. R. 15837)—to the Committee on Agriculture.

By Mr. VREELAND: Petition of Belfast Grange, No. 1068, of Belfast, N. Y., favoring establishment of postal savings banks and a parcels post—to the Committee on the Post-Office and Post-Roads.

By Mr. WANGER: Petition of Illinois Manufacturers' Association, favoring enactment of the ocean mail steamship bill—to the Committee on the Merchant Marine and Fisheries.

By Mr. WOOD: Petition of River Side Grange, No. 125, Patrons of Husbandry, of Three Bridges, N. J., for removal of duty on lumber—to the Committee on Ways and Means.

Also, petition of Pennington (N. J.) Grange, No. 64, Patrons of Husbandry, favoring federal aid to highways by establishment of a national highways commission—to the Committee on Agriculture.

Also, petition of New Jersey state board of agriculture and New Jersey State Horticultural Society, favoring H. R. 21318, for preventing manufacture, sale, or transportation of adulterated or misbranded fungicides or insecticides—to the Committee on Interstate and Foreign Commerce.

SENATE.

FRIDAY, February 5, 1909.

Prayer by the Chaplain, Rev. Edward E. Hale.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. KEAN, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

USES OF DENATURED ALCOHOL.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a special and detailed report of the Commissioner of Internal Revenue and the chief chemist of the bureau to the Secretary of the Treasury, reviewing observations and work in Europe regarding denatured alcohol, its manufacture and uses (H. Doc. No. 1419), which, with the accompanying paper, was referred to the Committee on Finance and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the House insists upon its amendment to the bill (S. 6350) to change the name and jurisdiction of the inferior court of justice of the peace in the District of Columbia, disagreed to by the Senate; agrees to the conference asked for by the Senate on the disagreeing vote of the two Houses thereon, and had appointed Mr. CAMPBELL, Mr. OLCOTT, and Mr. JOHNSON of Kentucky managers at the conference on the part of the House.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 16274. An act to amend section 10 of chapter 252, volume 29, of Public Statutes at Large; and

H. R. 26482. An act to authorize the construction of two bridges across Rock River, State of Illinois.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice-President:

S. 8460. An act to provide for the deduction of hatchways and water-ballast space from the gross tonnage of vessels;

H. R. 2952. An act for the relief of Chaplain Henry Swift, Thirtieth Infantry, U. S. Army;

H. R. 10752. An act to complete the military record of Adolphus Erwin Wells;

H. R. 11460. An act to remove the charge of desertion from the military record of William H. Houck;

H. R. 16015. An act for the relief of Lafayette L. McKnight; and

H. R. 20171. An act to correct the military record of George H. Tracy.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented petitions of Liberty Grange, No. 1557, of Trumbull County, Ohio; of Local Grange No. 140, of Freedom, N. H.; and of local grange of Wauseon, Ohio, all Patrons of Husbandry, praying for the passage of the so-called "rural parcels-post" and "postal savings banks" bills, which were referred to the Committee on Post-Offices and Post-Roads.

Mr. DICK presented a memorial of the Produce Exchange of Toledo, Ohio, remonstrating against the enactment of legislation providing for the inspection and grading of grain under federal control, which was ordered to lie on the table.

He also presented petitions of Pomona Grange, of Franklin County; of Friendship Grange, No. 670, of Hardin County; and of Local Grange No. 271, of Sharon, all Patrons of Husbandry, in the State of Ohio, praying for the passage of the